

## SECTIONS.

77. Deposit by purchaser.
78. Payment of balance of purchase-money and consequences of default.
79. Application to set aside sale.
80. Sales when final.
81. Annulment of sale on ground of hardship, &c.
82. Annulment of sale by Civil Court.
83. Saving of right to sue for damages.
84. Repayment of purchase-money when sale is set aside.
85. On sale becoming final, purchaser to be put in possession.
86. Bar of suit against certified purchaser.
87. Application of proceeds of sale.
88. Liability of purchaser for revenue.
89. Right of pre-emption.

*Annulment of Settlement.*

90. Annulment of settlement.

*Sale of Immoveable Property other than the defaulting Estate.*

91. Power to proceed against defaulter's other immoveable property.

*Supplemental.*

92. Recovery of costs.
93. Recovery of existing arrears.
94. Recovery of other money.
95. Power of Chief Commissioner to make rules.

## CHAPTER VI.

## PARTITION AND UNION OF REVENUE-PAYING ESTATES.

96. "Perfect partition" and "imperfect partition" defined.
97. Persons entitled to partition.
98. Application for perfect partition.
99. Notification of application.
100. Objection on question of title.
101. Other objections how dealt with.
102. Proceedings of Deputy Commissioner after objections have been disposed of.
103. Mode of partition.
104. Power to enter on land for purposes of partition.
105. Partition of lands held only in severalty.
106. Partition of lands some of which are held in common.
107. Partition where all lands held in common.
108. Transfers to be effectuated in making partition.
109. Estates to be compact.
110. Rule when building of one sharer is included in estate assigned to another.
111. Rule as to make tanks, wells, water-courses and embankments.
112. Rule as to places of worship and burial-grounds.
113. Determination of revenue payable by each portion of divided estate.
114. Costs.
115. Power to stay partition.
116. Proclamation of partition.
117. Appeal from decision of Deputy Commissioner.
118. Power to order new allotment of revenue on proof of fraud or error in first distribution.
119. Making of imperfect partition.
120. Persons entitled to union.
121. Power to make rules.

## SECTIONS.

## CHAPTER VII.

## POWERS OF OFFICERS.

*Part A.—Revenue-officers.*

122. Chief Commissioner.
123. *Ex officio* revenue-officers.
124. Appointment of other revenue-officers.
125. Sub-divisional Officer.
126. Powers of Sub-divisional Officers.
127. Power to invest Assistant Commissioners, &c., not in charge of sub-divisions, with special powers.
128. Subordination of revenue-officers.
129. Power to distribute work.
130. Power of superior revenue-authorities to withdraw and transfer cases.
131. Powers of officers transferred to another district.
132. Provision for discharge of duties of Deputy Commissioner dying or being disabled.

*Part B.—Settlement and Survey Officers.*

133. Appointment of Settlement-officers.
134. Appointment of Survey-officers.
135. Powers of Settlement-officers.
136. Powers of Assistant Settlement-officers and Assistant Survey-officers.
137. Investing of Settlement-officers with special powers.
138. Exercise of powers of a Settlement-officer or Survey-officer by other officers.

*Part C.—Mode of conferring and withdrawing Powers.*

139. Conferring and withdrawing of powers.

## CHAPTER VIII.

## PROCEDURE.

140. Place for holding Court.
141. Power to summon persons to give evidence, &c.
142. Power to fine person summoned for non-attendance.
143. Power to refer disputes to arbitration.
144. Recovery of fines and costs.
145. Proceedings against defaulting revenue-officers.
146. Proceedings against sureties of defaulters or revenue-officers.
147. Officers to whom appeals lie.
148. Limitation of appeal.
149. Procedure of Appellate Court on appeal.
150. Suspension of order appealed against.
151. Power to call for proceedings of subordinate officers.
152. Power to make rules.

## CHAPTER IX.

## MISCELLANEOUS.

153. Proceedings under this Regulation unaffected by mistake, misdescription or irregularity.
154. Matters exempted from cognizance of Civil Court.
155. Additional power to make rules.
156. Penalty for breach of rules.
157. Making and publication of rules.
158. Consolidation and re-publication of rules.
159. Powers exercisable from time to time.

## THE SCHEDULE.—ENACTMENTS REPEALED.

*The Assam Land and Revenue Regulation, 1886.**(Chapter I.—Preliminary.—Sections 1-3.)**The Assam Land and Revenue Regulation, 1886.*

## CHAPTER I.

## PRELIMINARY.

1. (1) This Regulation may be called the Assam Land and Revenue Regulation, 1886; and

(2) It shall come into force on such dates and in such territories under the administration of the Chief Commissioner of Assam as the Chief Commissioner, with the previous sanction of the Governor General in Council, may direct by notification in the local official Gazette:

Provided that—

- (a) any such notification may declare that any portion of this Regulation shall not be in force in any territory to which the Regulation may be extended; and
- (b) the Chief Commissioner may, with the previous sanction of the Governor General in Council, direct by notification in the local official Gazette that any portion of this Regulation shall cease to be in force in any territory to which the Regulation may have been extended.

2. On and from the date on which this Regulation comes into force in any territory, the enactments mentioned in the schedule hereto annexed, in so far as they apply to, or are in force in, that territory, and all regulations and rules (if any) in force there relating to any of the matters provided for by this Regulation, shall be repealed:

Provided that—

- (a) this repeal shall not revive any enactment repealed, or affect anything done, or any offence committed or any fine or penalty incurred, or any proceedings commenced, before this Regulation comes into force; and
- (b) all rules prescribed, appointments and settlements made, powers conferred and notifications published under any enactment hereby repealed, and all other rules (if any) in force on the date on which this Regulation comes into force relating to any of the matters hereinafter dealt with, shall (so far as they are consistent with this Regulation and could be prescribed, made, conferred or published thereunder) be deemed to have been respectively prescribed, made, conferred and published thereunder.

3. In this Regulation, unless there is something repugnant in the subject or context,—

Definitions.

(a) “the commencement” of this Regulation, used with reference to any local area, means the date on which it comes into force in that local area:

(b) “estate” includes—

- (1) any land subject, either immediately or prospectively, to the payment of land-revenue, for the discharge of which a separate engagement has been entered into;
- (2) any land subject to the payment of, or assessed with, a separate amount as land-revenue, although no engagement has been entered into with the Government for that amount;
- (3) any local area for the appropriation of the produce or products whereof a license or farm has been granted under rules made by the Chief Commissioner under section 155, clause (e) or clause (f);
- (4) any char or island thrown up in a navigable river which under the laws in force is at the disposal of the Government;
- (5) any land which is for the time being entered in the Deputy Commissioner's register of revenue-free estates as a separate holding;
- (6) any land, being the exclusive property of the Government, of which the Chief Commissioner has directed the separate entry in the registers of revenue-paying and revenue-free estates mentioned in Chapter IV.

*Explanation.*—Any land gained by alluvion or by dereliction of a river to any estate as here defined, which under the laws in force is considered an increment to the tenure to which the land has accreted, shall be deemed to be part of that estate:

(c) “permanently-settled estate” means any estate in the districts of Sylhet and Goalpara included in the decennial settlement of the Lower Provinces of Bengal, or permanently-settled at any subsequent date under any law for the time being in force:

(d) “temporarily-settled estate” means any estate not being a revenue-free or permanently-settled estate:

(e) “land-revenue” means any revenue assessed by Government on an estate, and includes any tax assessed in lieu of land-revenue:

(f) “proprietor” means the owner of any estate permanently settled or entered on the Deputy Commissioner's register of revenue-free estates:

(g) “landholder” means any person deemed to have acquired the status of a landholder under section 8:

(h) “settlement-holder” means any person, other than a proprietor, who has entered into an engagement with the Government to pay land-revenue, and includes a landholder:

(i) “recorded proprietor”, “recorded landholder”, “recorded sharer” and “recorded possession” mean any proprietor, landholder, sharer or possession, as the case may be, registered in the general registers prescribed in Chapter IV:



*The Assam Land and Revenue Regulation, 1886.**(Chapter II.—Rights over Land.—Sections 4-11.)*

(j) "agricultural year" means the year commencing on the 1st April, or on such other date as the Chief Commissioner may, in the case of any specified local area, by notification, appoint:

(k) "notification" means a notification published in the local official Gazette: and

(l) "prescribed" means prescribed by rules made under this Regulation.

## CHAPTER II.

## RIGHTS OVER LAND.

Land excepted from the operation of this chapter. 4. This chapter shall apply to all land except the following:—

- (a) land included in any forest constituted a reserved forest under the law for the time being in force;
- (b) the soil of any public road, canal, drain or embankment;
- (c) land included in any military cantonment or civil station; or
- (d) any land which the Chief Commissioner may, by notification, except from the operation of this chapter.

5. (1) When the boundaries of any land excepted under section 4 from the operation of this chapter need definition for the purposes of that section, and no other mode of defining them is provided by law, the Chief Commissioner shall cause them to be defined by the Deputy Commissioner.

(2) If, before the boundaries are defined, any question arises as to whether any land is included within them, it shall be decided by the Deputy Commissioner.

(3) The order by which a Deputy Commissioner defines any boundaries or decides any question, under this section shall, subject to the provisions of section 151 of this Regulation, be final.

6. No right of any description shall be deemed to have been, or shall be, acquired by any person over any land to which this chapter applies, except the following:—

- (a) rights of proprietors, landholders and settlement-holders other than landholders, as defined in this Regulation, and other rights acquired in manner provided by this Regulation;
- (b) rights legally derived from any right mentioned in clause (a);
- (c) rights acquired under sections 26 and 27 of the Indian Limitation Act, 1877;
- (d) rights acquired by any person as tenant under the Rent Law for the time being in force:

Provided that nothing in this section shall be held to derogate from the terms of any lease granted by or on behalf of the British Government.

7. Proprietors shall, subject to the provisions of this Regulation, have the same rights and enjoy the same privileges in respect of lands included in their estates as they have at the commencement of this Regulation.

8. (1) (a) Any person who has before the commencement of this Regulation held immediately under the Government for ten years continuously any land not included either in a permanently-settled estate or in a revenue-free estate, and who has during that period paid to the Government the revenue due thereon, or held the same under an express exemption from revenue, and,

(b) except as provided by section 15, any person who has, whether before or after the commencement of this Regulation, acquired any such land under a lease granted by or on behalf of the Government, the term of which is not less than ten years,

shall be deemed to have acquired the status of a landholder in respect of the land.

(2) When land held by one person has come immediately by transfer or succession to be held by another, the holding shall, for the purposes of sub-section (1), clause (a), be deemed to have been continuous, and the latter person may, in reckoning the length of his holding, add the holding of the former to his own.

(3) When any revenue has been paid in respect of land by any person holding the land under another, that revenue shall, for the purposes of the said clause, be deemed to have been paid by the latter person.

9. A landholder shall have a permanent, heritable and transferable right of use and occupancy in his land, subject to—

- (a) the payment of all revenue, taxes, cesses and rates from time to time legally assessed or imposed in respect of the land;
- (b) the reservation in favour of the Government of all quarries and of all mines, minerals and mineral oils, and of all buried treasure, with full liberty to search for and work the same, paying to the landholder only compensation for the surface damage as estimated by the Deputy Commissioner; and
- (c) the special conditions of any engagement into which the landholder may have entered with the Government.

10. Any landholder who, after the commencement of this Regulation, voluntarily relinquishes any land and ceases to pay the revenue assessed thereon shall at once forfeit his status of landholder in respect of that land.

11. A settlement-holder, who is not a landholder, shall have no rights in the land held by him beyond such as are expressed in his settlement-lease.

*The Assam Land and Revenue Regulation, 1886.**(Chapter III.—Settlement and Resumption.—Sections 12-23.)*

**12.** The Chief Commissioner may make rules for the disposal, by way of grant, lease or otherwise, of any land over which no person has the rights of a proprietor, landholder or settlement-holder under this Regulation.

**13.** The Chief Commissioner may make rules for the allotment from the land referred to in section 12 of grazing-grounds to the inhabitants of any village in the neighbourhood whom he considers to stand in need of such allotment, and for regulating and controlling the enjoyment of those grazing-grounds by persons permitted to resort thereto.

**14.** The Chief Commissioner may make rules for the allotment from the land referred to in section 12, for the use of tribes or families practising *jhum* or migratory cultivation, of areas suitable for such cultivation, of sufficient extent, and situated in localities reasonably convenient, for the purposes of the persons to whom they are allotted, and for regulating and controlling the enjoyment of lands so allotted by persons permitted to resort to the same.

**15.** No person shall acquire, by length of possession or otherwise, any right over lands disposed of or allotted under section 12, section 13 or section 14 beyond that which is given by the rules made under the section.

**16.** The Deputy Commissioner, with the previous sanction of the Chief Commissioner, may, by proclamation published in the prescribed manner, declare any collection of water, running or still, to be a fishery; and no right in any fishery so declared shall be deemed to have been acquired by the public or any person, either before or after the commencement of this Regulation, except as provided in the rules made under section 155:

Provided that nothing in this section shall affect any express grant of a right to fish made by or on behalf of the British Government, or any fishery-rights acquired by a proprietor before the commencement of this Regulation, or the acquisition by a proprietor of such rights in any fishery forming after the commencement of this Regulation in his estate.

## CHAPTER III.

## SETTLEMENT AND RESUMPTION.

*Part A.—General.*

**17.** Settlement-operations may consist of one or more of the following:—

- (a) survey and demarcation of land;
- (b) assessment of land-revenue;
- (c) record-of-rights.

**18. (1)** When any local area or class of estates is to be settled, the Chief Commissioner may, with the previous sanction of the Governor General in Council, issue a notification of settlement, and in the notification shall—

- (a) define the local area or class of estates to be settled; and
- (b) specify the settlement-operations to be carried out.

(2) The Chief Commissioner may, with the previous sanction of the Governor General in Council, amend or alter any such notification.

**19. (1)** Every local area or class of estates shall be held to be under settlement from the date of any notification published under section 18 and relating thereto, until the issue of another notification declaring settlement-operations to be closed therein.

(2) Every local area or class of estates under settlement at the commencement of this Regulation shall be deemed to be under settlement within the meaning of this section without the issue of the notification prescribed by section 18.

**20.** The Chief Commissioner may, by rule, direct that this chapter or any one or more sections or portions of sections thereof shall not apply to any local area or to the settlement of any particular class of estates.

*Part B.—Survey and Demarcation of Land.*

**21.** Every proprietor and settlement-holder of any land, and every person entitled to receive rent in respect of any land or occupying any land as a tenant, shall on the written requisition of a Survey-officer, furnish, personally or otherwise, as the Survey-officer directs, such information or assistance as may be required by that officer for the purposes of the survey of the land.

**22. (1)** Every proprietor and landholder of any land, and every person entitled to receive rent in respect of any land, shall, on the written requisition of a Survey-officer, erect and repair such boundary-marks on the land as the Survey-officer directs.

(2) If any person on whom a requisition has been made under sub-section (1) fails to erect or repair any boundary-mark mentioned in the requisition, the Survey-officer may erect or repair it.

**23. (1)** Whenever in the course of survey it comes to the knowledge of the Survey-officer that any boundary-dispute exists, he shall notify the same to the Settlement-officer, who shall proceed as follows:—

- (a) if the dispute is between the proprietors of different estates, the Settlement-officer shall decide it on the basis of actual possession; or if he is unable to satisfy



*The Assam Land and Revenue Regulation, 1886.**(Chapter III.—Settlement and Resumption.—Sections 24-32.)*

himself as to which party is in possession, he may determine by summary enquiry who is the person best entitled to possession, and may put him in possession; or he may refer the dispute to arbitration for decision on the merits, as provided in section 143 :

- (b) if the dispute is between the settlement-holders of different estates, the Settlement-officer shall, after due enquiry, determine the proper boundaries of those estates :
- (c) if the dispute is between the Government and any settlement-holder as to whether any land is comprised in the settlement, the Settlement-officer shall, after due enquiry, determine the dispute.

(2) The order by which a Settlement-officer determines any boundaries or any dispute under clause (b) or clause (c) of this section shall, subject to the provisions of section 151 of this Regulation, be final.

24. Whenever the Settlement-officer has determined a dispute under section 23, and the order has become final, or has been altered by a decree or order of any competent Court or authority, which has become final ;

and whenever it comes to the notice of the Survey-officer that any boundary has been determined by a competent Court or authority ;

the Survey-officer may cause such marks as he may think fit to be erected in order to secure the boundary permanently.

25. Any person wilfully destroying, removing or damaging any boundary-mark (not being a land-mark fixed by the authority of a public servant within the meaning of section 434 of the Indian Penal Code) which has been lawfully erected shall be punished with fine which may extend to two hundred rupees for each mark so destroyed, removed or damaged, in addition to such sum as may be necessary to defray the expense of restoring the boundary-mark so destroyed, removed or damaged.

26. If a permanent boundary-mark lawfully erected on any land, or on the boundary thereof, is injured, destroyed or removed, or requires repairs, the proprietor or settlement-holder of the land, and every person entitled to receive rent in respect of the same or occupying it as a tenant, shall be bound to give immediate notice of the fact to the prescribed revenue-officer; and every person who omits to give notice as required by this section shall be liable to a fine, not exceeding one hundred rupees, to be imposed by order of the Deputy Commissioner.

27. The Chief Commissioner may make rules prescribing the mode in which any survey conducted under the provisions of this Part shall be effected, and the manner in which all the cost of such a survey, compensation due on account of anything done under the orders

of a Survey-officer, and all expenses incurred under this Part in erecting and repairing boundary-marks, shall be apportioned among and levied from proprietors and landholders and persons entitled to receive rent in respect of land.

*Part C.—Assessment of Land.*

28. All land shall be deemed liable to be assessed to revenue, except—

- (a) land for the time being exempt from assessment under the express terms of any grant made or confirmed by, or on behalf of, the British Government;

- (b) land in respect of which a tax is for the time being imposed under section 47 :

Provided that nothing in this section shall—

- (1) affect the provisions of any settlement, grant or lease for the time being in force;
- (2) authorize the assessment of any land included in the limits of a permanently-settled estate, unless it is shown that it was not included in the Permanent Settlement;
- (3) affect any title to hold land revenue-free if the title existed immediately before the commencement of this Regulation and was valid under the law then in force; or
- (4) authorize the assessment of any land which has been held revenue-free for sixty years continuously unless it is shown that the right so to hold it has ceased to exist.

29. The Chief Commissioner may make rules prescribing the principles on which the land-revenue is to be assessed, the term for which, and the conditions on which, settlements are to be made, and the manner in which the Settlement-officer is to report for sanction his rates and method of assessment.

30. The Settlement-officer shall, in accordance with the rules issued under section 29, frame general proposals of assessment for any local area or class of estates to be assessed, and submit those proposals to the Chief Commissioner.

31. After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement-officer shall ascertain, and make an order determining, the amount of the assessment proper for each estate, and shall, on a date and at a place to be notified by proclamation in the prescribed manner, offer a settlement based thereon to the person with whom the settlement of the estate is to be made.

32. (1) The Settlement-officer shall offer the settlement to such persons (if any) as he finds to be in possession of the estate and to have a permanent, heritable and transferable right of use and occupancy in the same, or to be in possession as mortgagees of persons having such a right.

*The Assam Land and Revenue Regulation, 1886.**(Chapter III.—Settlement and Resumption.—Sections 33-41.)*

(2) If the Settlement-officer finds no person in possession as aforesaid, it shall be in his discretion, subject to such rules as the Chief Commissioner may make under section 12, to offer the settlement to any person he thinks fit.

33. (1) It shall be in the option of the person to whom a settlement is offered to accept or refuse the same.

Acceptance or refusal of settlement.

(2) If he is willing to accept it, he shall deliver to the Settlement-officer an acceptance in writing under his hand, in the prescribed form.

(3) If a person to whom a settlement has been offered does not, within the prescribed time, deliver such an acceptance, or inform the Settlement-officer in the prescribed manner that he refuses the proposed settlement, he shall, if the Settlement-officer by an order in writing so directs, be deemed to have accepted the settlement.

34. When a settlement has been accepted, the revenue fixed thereby and no more shall be payable from such date, and for such term, as the Chief Commissioner may fix in this behalf; or, if at the expiry of that term no new settlement has been made, until a new settlement has been made:

Effect of acceptance of settlement.

Provided that—

- (a) a settlement shall not be final as against the Government until it has been sanctioned by the Governor General in Council;
- (b) in the case of gain by alluvion or by dereliction of a river, or loss by diluvion, during the currency of the settlement, increments shall be assessed and reductions granted by the Deputy Commissioner according to such limitations as to the extent of gain or loss and such other conditions as may be prescribed; and
- (c) in any local area to which the Chief Commissioner may, by notification, apply this clause, a settlement-holder may, after giving notice at the time and in the manner prescribed, relinquish the estate of which he has accepted a settlement, or any part thereof on which a separate part of the revenue has been apportioned, and shall thereupon be released from all future obligation to pay the revenue of the estate, or the part thereof so apportioned, as the case may be.

35. If the person to whom a settlement is offered refuses to accept it, it shall be in the discretion of the Settlement-officer, subject to such rules as the Chief Commissioner may make under section 12, to exclude him for the term of the settlement from possession of the estate, and to offer the settlement thereof to any other person he thinks fit.

36. In the case of an estate held by several persons jointly entitled to an offer of a settlement, if some of those persons refuse to accept the offer, it shall be in the discretion of the Settlement-officer to exclude

Procedure when some of those to whom the settlement is offered refuse.

them from possession for the term of settlement, and to offer the settlement of the whole estate to the others.

37. (1) When the whole or part of the land comprised in an estate is held in severalty, the Settlement-officer shall, on the application of any one or more of the settlement-holders, make an order apportioning to the several holdings the revenue assessed on the estate.

Settlement-officer when to apportion assessment over land.

(2) Except as provided by sub-section (1), a Settlement-officer shall not apportion the revenue of an estate over the lands comprised therein unless he is required so to do by rules made by the Chief Commissioner in this behalf.

(3) No apportionment of the revenue by the Settlement-officer shall affect the joint and several liability for the revenue imposed by section 63.

38. (1) A lunatic, minor or other person incapable of making a contract shall be deemed to be duly represented for all the purposes of this Part by his manager.

Representation of incompetent persons and of bodies of persons.

(2) A body of persons for whom representatives have been appointed in this behalf under rules made under section 155, clause (d), shall be deemed to be duly represented for all the purposes of this Part by those representatives.

39. Subject to the provisions of section 151 of this Regulation, the order of a Settlement-officer as to the person to whom a settlement should be offered, the amount of revenue to be assessed, and the nature and term of the settlement to be offered, shall be final, and a settlement concluded with that person shall be binding on all persons from time to time interested in the estate; but, except as provided by sections 35 and 36, no person shall, merely on the ground that a settlement has been made with him or with some person through whom he claims, be deemed to have acquired any right to or over any estate, as against any other person claiming rights to or over that estate.

Effect of decision of Settlement-officer as to settlement.

*Part D.—Record-of-rights.*

40. The Settlement-officer shall frame for each estate a record-of-rights in the prescribed manner.

Record-of-rights.

41. (1) Entries in the record made under section 40 shall be founded on the basis of actual possession, and all disputes regarding such entries, whether taken up by the Settlement-officer of his own motion or on the application of a party concerned, shall be investigated and decided by him on that basis, and all persons not in possession, but claiming the right to be so, shall be referred by him to the proper Court.

Entries in record and their effect.

(2) Every entry in the record-of-rights made under this section shall, until the contrary is proved, be presumed to be correct.



*The Assam Land and Revenue Regulation, 1886.**(Chapter III.—Settlement and Resumption.—Chapter IV.—Registration.—Sections 42-51.)*

42. Notwithstanding anything contained in section 41, in the case of any dispute respecting the class of any tenant under the Rent Law for the time being in force, or the amount of rent payable by such tenant, the Settlement-officer shall decide the dispute, or, where the rent is open to alteration, fix the rent according to the principles laid down in the said Rent Law, and, subject to the provisions of section 151 of this Regulation, his order shall be final.

*Part E.—Resumption.*

43. Whenever a Deputy Commissioner has reason to believe that any land within his jurisdiction is being held wholly or partially free of assessment and is liable to be assessed under section 28, he may institute an enquiry, and the person claiming the land shall be bound to prove his title to hold the same wholly or partially free of assessment, as the case may be.

44. The result of every enquiry instituted by a Deputy Commissioner under section 43 shall be reported to the Chief Commissioner for orders in the prescribed manner.

45. (1) In any case reported to the Chief Commissioner under section 44, if the Chief Commissioner declares the land not liable to assessment his order shall be final except on proof of fraud or collusion on the part or on behalf of the person interested.

(2) If the Chief Commissioner declares the land liable to assessment, the Deputy Commissioner shall inform the person interested of the Chief Commissioner's decision, and shall proceed to assess the land in accordance with the rules made under section 29 and to settle it with the person in possession.

46. Any person whose lands are assessed by order of the Chief Commissioner passed under section 45 may, at any time within one year from the date of his being informed of the Chief Commissioner's order, institute a suit in the Civil Court to have the order set aside, failing which the order shall be final.

*Part F.—Hoe-tax or house-tax.*

47. (1) The Chief Commissioner may direct that in lieu of the revenue assessable on any land there shall be collected an annual tax on each male person who has completed the age of eighteen years taking part in the cultivation of the land at any time during the year of assessment, or on each family or house of persons taking part as aforesaid.

(2) The rates of the tax, the class of persons upon whom, and the localities and mode in which, it may be assessed, shall be determined by the Chief Commissioner.

## CHAPTER IV.

## REGISTRATION.

*Part A.—The Preparation and Maintenance of Registers.*

48. (1) The Deputy Commissioner of every district shall prepare and keep the following registers:—

- (a) a general register of revenue-paying estates;
- (b) a general register of revenue-free estates; and

- (c) such other registers as the Chief Commissioner may direct.

(2) The registers shall be written in the prescribed form and language, and shall be prepared, arranged, kept and maintained in the prescribed manner.

49. Until registers are prepared for any tract under section 48, the Chief Commissioner may direct that any registers kept by or under the control of the Deputy Commissioner at the commencement of this Regulation shall be deemed to be registers prepared under that section.

*Part B.—Registration.*

50. After the commencement of this Regulation—

- (a) every proprietor or landholder succeeding to any estate, or share in an estate, whether by transfer or inheritance, and obtaining possession of the same;
- (b) every joint proprietor or joint landholder of any estate assuming charge of the estate, or of any share therein on behalf of the other proprietors or landholders thereof;
- (c) every person assuming charge of any estate of a proprietor or landholder, or of any share therein, as manager; and
- (d) every mortgagee obtaining possession of any estate of a proprietor or landholder, or of any share therein;

shall, within six months from the date of taking possession or assumption of charge, apply to the Deputy Commissioner of the district on the general registers of which the estate is borne for registration of his name as such proprietor, landholder, manager or mortgagee, and of the nature and extent of the interest in respect of which the application is made.

51. Every person who at the commencement of this Regulation is in the possession of an estate or of any share in an estate as proprietor or landholder, or as manager of the estate of a proprietor or landholder, or as mortgagee, may apply to the Deputy Commissioner of the district on the general register of which the estate is borne for registration of his name as such proprietor, landholder, manager or mortgagee, and of the nature and extent of the interest in respect of which the application is made.

*The Assam Land and Revenue Regulation, 1886.**(Chapter IV.—Registration.—Sections 52-60.)*

**52.** (1) On receiving an application under section 50 or section 51, the Deputy Commissioner shall, if he considers there are sufficient grounds for proceeding with the application, publish a notice requiring all persons who object to the registration of the name of the applicant, or who dispute the nature or extent of the interest in respect of which registration is applied for, to give in a written statement of their objections, and to appear on a day to be specified in the notice, not being less than one month from the date thereof.

(2) If the application alleges that the applicant has acquired possession of the estate, or share in an estate, in respect of which he applies to be registered, by transfer from any person, a copy of the notice shall be served on the alleged transferor, or, if he is dead, upon his heirs.

**53.** On the day fixed in the notice issued under section 52, or as soon thereafter as possible, the Deputy Commissioner shall consider any objections which may be advanced, and, after such further enquiry (if any) as appears necessary to ascertain the truth of the succession, assumption of charge or possession alleged in the application, shall, if it appears to him that the succession accompanied by possession has taken place or that charge has been assumed or that the applicant is in possession, as the case may be, make an order directing the registration.

**54.** If, in the course of an enquiry made under section 53, a dispute regarding the fact of possession arises, and the Deputy Commissioner is unable to satisfy himself as to who is in possession, he shall ascertain by summary enquiry who is the party best entitled to possession, and shall put him in possession, and make the necessary entry in the proper register accordingly.

**55.** After the commencement of this Regulation, any person who holds a taluq-dari or other similar tenure which has been created since the time of the Permanent Settlement, and is held immediately from the proprietor of a permanently-settled estate, may apply to the Deputy Commissioner to have the tenure registered.

**56.** (1) On receiving an application under section 55, the Deputy Commissioner shall serve a notice on the recorded proprietors of the estate in which the tenure is situated, and shall also publish a general notice requiring the proprietors or any persons interested, who object to the application, to file within thirty days from the date of the notice a written statement of their objections.

(2) If within the time specified no objection is made, the Deputy Commissioner shall register the tenure.

(3) If within the time specified an objection is made by any recorded proprietor, or by any per-

son interested not being a proprietor, the Deputy Commissioner shall examine the person so objecting, and, if it appears that he has probable ground of objection, shall suspend proceedings and refer the parties to the Civil Court :

(4) Provided that no tenure shall be registered under this section unless the Deputy Commissioner is satisfied that it has been created in good faith and at a rent not less than the full amount of the revenue fairly payable in respect of the lands comprised in it.

**57.** On any registry under this chapter, fees may be levied from the person in whose favour the registration is made, at the prescribed rates.

**58.** (1) If any person, being required by section 50 to apply for registration, voluntarily or negligently omits to do so within the time specified in that section, he shall be liable to a fine, to be imposed by the Deputy Commissioner, which may extend to five times the amount of fee which would be payable under section 57 for registration, and to such further daily fine as the Deputy Commissioner may think fit to impose, not exceeding one rupee for each day during which the person omits to apply for registration after a date to be fixed by the Deputy Commissioner in a notice requiring him to apply for registration ; and

(2) A person required by section 50 to apply for registration shall not acquire, or be deemed to have acquired, as against the Government, any interest in land as proprietor, landholder, manager or mortgagee, or be entitled to prefer any claim against the Government in respect of such interest, as long as he omits to apply for registration, but shall be subject to all the liabilities of a proprietor, landholder, manager or mortgagee so far as regards the payment of revenue and all other obligations to the Government.

**59.** (1) No person shall be bound to pay rent to any person claiming it as proprietor, landholder, manager or mortgagee in possession of an estate, unless the name of the claimant has been registered under this chapter.

(2) No person, being liable to pay rent to two or more such proprietors, landholders, managers or mortgagees, shall be bound to pay to any one such proprietor, landholder, manager or mortgagee more than the amount which bears the same proportion to the whole of the rent as the extent of the share in respect of which the proprietor, landholder, manager or mortgagee is registered bears to the entire estate.

*Part C.—Miscellaneous.*

**60.** Subject to the prescribed conditions and to payment of the prescribed fees, all registers kept under this chapter shall be open to public inspection; and, subject as aforesaid,



*The Assam Land and Revenue Regulation, 1886.**(Chapter V.—Arrears and the Mode of recovering them.—Sections 61-68.)*

the Deputy Commissioner shall supply an extract from any such register to any person who may apply for the same.

**61.** Whenever any sum of money is payable (otherwise than under the Land Acquisition Act, 1870) by the Deputy Commissioner to two or more proprietors, landholders, managers or mortgagees in possession of an estate, the Deputy Commissioner may pay to any one or more recorded proprietors, landholders, managers or mortgagees thereof, respectively, such portions of the said sum as may be proportionate to the extent of the interest in respect of which each such proprietor, landholder, manager or mortgagee is registered, and the receipt of each such proprietor, landholder, manager or mortgagee shall afford full indemnity to the Deputy Commissioner in respect of any sum so paid.

Power of Deputy Commissioner to pay recorded proprietors, &c., money due to them in accordance with their registered interests.

**62.** Nothing contained in this chapter and nothing done in accordance therewith shall be deemed to—

Saving clause.

(a) preclude any person from bringing a suit in the Civil Court for possession of, or for declaration of his right to, any immoveable property to which he may deem himself entitled; or

(b) render the entry of any land in any register under this chapter as revenue-free an admission on the part of Government of the right of the person in whose name the land may be entered, or an admission of the validity of the title under which the said land is held revenue-free.

## CHAPTER V.

## ARREARS AND THE MODE OF RECOVERING THEM.

*Liability for Revenue, and default.*

**63.** Land-revenue payable in respect of any estate shall be due jointly and severally from all persons who have been in possession of the estate or any part of it during any portion of the agricultural year in respect of which that revenue is payable.

**64.** When a tax is imposed on a family or house in respect of the cultivation of any land, the amount due for any year of assessment from the family or house shall be due jointly and severally from all males of the family or house who, at any time during the year, being then above the age of eighteen years, took any part in the cultivation of that land.

**65.** (1) When there are several recorded proprietors of a permanently-settled estate, any one of them, whether he is entitled to a share of the estate or

Procedure when co-proprietor of permanently-settled estate desires to pay separately.

to particular lands comprised therein, may, if he desires to pay his share or portion of the revenue separately, submit a written application to that effect to the Deputy Commissioner specifying his share of the estate or the particular lands therein to which he is entitled, and, when he claims particular lands, the portion of the revenue for which, as between him and his co-proprietors, he is liable.

(2) The Deputy Commissioner shall then publish a notice requiring all persons who object to the application to appear within six weeks from the date of the notice and give in a written statement of their objections.

(3) If within the period specified in the notice no objection is made by any recorded co-proprietor of the estate, the Deputy Commissioner shall open separate accounts for the applicant's share or lands and for the aggregate of the shares or lands of the other proprietors, and shall credit separately in those accounts all payments made by him and them respectively.

(4) If any recorded co-proprietor of the estate objects that the applicant has no right to the share or lands claimed by him, or that his interest in the estate is less or other than that claimed by him, or, if the application is in respect of particular lands, that the amount of revenue stated by the applicant to be payable on account of those lands is not the amount which is recognised among the co-proprietors as the revenue thereof, the Deputy Commissioner shall refer the parties to the Civil Court, and shall suspend proceedings until the objection is withdrawn or the question at issue is judicially determined.

(5) The opening of separate accounts under this section shall not affect the joint and several liability imposed by section 63 except in so far as by this Regulation expressly provided.

**66.** Every sum payable under this Regulation, Revenue when due, on account of land-revenue, and where and to whom payable, shall fall due on such date, and shall be payable in such manner, in such instalments, at such place and to such person, as may be prescribed.

**67.** Land-revenue not paid on the date when "Arrear" and "default" it falls due shall be deemed to be an arrear; and every person liable for it shall be deemed to be a defaulter.

*Notice of Demand.*

**68.** When an arrear has accrued, not being an arrear in respect of a permanently-settled estate, a notice of demand shall be issued by the prescribed officer calling on the defaulter to pay the amount within a time specified therein; and none of the processes for enforcing payment prescribed by this chapter shall be issued against him unless he fails to pay the amount within the time so specified.

*The Assam Land and Revenue Regulation, 1886.*

*(Chapter V.—Arrears and the Mode of recovering them.—Sections 69-74.)*

*Sale of Moveables.*

69. (1) The Deputy Commissioner may for the attachment and sale recovery of an arrear order of moveables. the attachment and sale of so much of a defaulter's moveable property as will, as nearly as may be, defray the arrear.

(2) Every such attachment and sale shall be conducted according to the law for the time being in force for the attachment and sale of moveable property under a decree of a Civil Court.

(5) Nothing in this section shall authorise the attachment and sale of necessary wearing-apparel, implements of husbandry, tools of artisans, materials of houses and other buildings belonging to and occupied by agriculturists, or of such cattle or seed-grain as may be necessary to enable the defaulter to earn his livelihood as an agriculturist.

*Sale of defaulting Estate.*

70. When an arrear has accrued in respect of When estate may be a permanently-settled estate sold. or of an estate in which the settlement-holder has a permanent, heritable and transferable right of use and occupancy, the Deputy Commissioner may sell the estate by auction:

Provided that—

(1) an estate which is not permanently settled shall not be sold unless the Deputy Commissioner is of opinion that the process provided for in section 69 is not sufficient for the recovery of the arrear;

(2) if the arrear has accrued on a separate account opened under section 65, only the shares or lands comprised in that account shall in the first place be put up to sale; and if the highest bid does not cover the arrear, the Deputy Commissioner shall stop the sale and direct that the entire estate shall be put up for sale at a future date, to be specified by him; and the entire estate shall be put up accordingly and sold;

(3) no property shall be sold under this section—

(a) for any arrear which may have become due in respect thereof while it was under the management of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the law for the time being in force; or

(b) for any arrear which may have become due while it was under attachment by order of a revenue-authority.

71. Property sold under section 70 shall be sold Estate to be sold free free of all incumbrances of incumbrances. previously created thereon by any other person than the purchaser:

Provided that—

first, nothing in this section shall apply—

(a) in a permanently-settled estate—

(1) to tenures which have been held from the time of the Permanent Settlement; or

(2) to tenures held immediately of the proprietors which have been created since the Permanent Settlement, and which have been registered under Chapter IV;

(b) in any estate to tenures created *bonâ fide* and at a rent no less than the full amount of the revenue fairly payable in respect of the land:

secondly, nothing in this section shall entitle a purchaser to eject any tenant having a right of occupancy under the Rent Law for the time being in force, or to enhance the rent of any such tenant otherwise than in the manner prescribed by that law:

thirdly, nothing in this section shall apply when the purchaser is a recorded or unrecorded proprietor or settlement-holder of the estate.

72. (1) If the Deputy Commissioner proceeds to sell any property under Proclamation of sale. section 70, he shall issue a proclamation in the prescribed manner specifying the property which will be sold, the time and place of sale, the revenue assessed on the property and any other particulars he may think necessary.

(2) A copy of every proclamation issued under this section shall be served on the defaulter, or, if he cannot be found, posted on the estate in manner prescribed.

(3) If the revenue of the estate exceeds five hundred rupees, the proclamation shall be published in the local official Gazette.

73. Whenever any property is notified or sale under section 72, the Deputy Commissioner may Proclamation to tenants of defaulter. publish a proclamation forbidding the tenants of the defaulter to pay to the defaulter any rent which has fallen due since the arrear accrued, on pain of not being entitled to credit in their accounts with the purchaser for any sum so paid.

74. (1) Every sale under this chapter shall be made either by the Deputy Sale by whom and when to be made. Commissioner in person, or by an officer specially empowered by the Chief Commissioner in this behalf.

(2) No such sale shall take place on a Sunday or other authorised holiday, or until after the expiration of at least thirty days from the date on which the proclamation of sale has been published under section 72.



*The Assam Land and Revenue Regulation, 1886.**(Chapter V.—Arrears and the Mode of recovering them.—Sections 75-85.)*

(3) The Deputy Commissioner may, from time to time, postpone the sale, and every postponement of sale of a permanently-settled estate shall be reported to the Commissioner or (where there is no Commissioner) to the Chief Commissioner.

75. If the defaulter pays the arrear of revenue in respect of which the property is to be sold at any time before the day fixed for the sale, the sale shall be stayed.

76. Where the arrear has accrued on a separate account opened under section 65, and a sale of the entire estate has been directed under section 70, proviso (2), any proprietor of the estate who is not comprised in the separate account may, within ten days from the time at which the direction is given, purchase the share or lands comprised in the separate account by paying the amount of the arrear, and the provisions of section 71 shall, notwithstanding the third proviso thereto, apply to such a purchase.

77. The person declared to be the purchaser at an auction-sale under the foregoing sections shall be required to deposit immediately twenty-five per centum on the amount of his bid, and in default of such deposit the property shall forthwith be again put up and sold.

78. (1) The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from that on which the auction-sale took place, or, if that day is a Sunday or other authorised holiday, then on the next following office day.

(2) In default of payment within that period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to the Government, the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold:

Provided that no re-sale under this section shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

(3) If the proceeds of the sale which is eventually made are less than the price bid by the defaulting purchaser, the difference shall be leviable from him under the provisions of this chapter as if it were an arrear.

79. At any time within sixty days from the date of the sale, application in writing may be made to the Commissioner, or (where there is no Commissioner) to the Chief Commissioner, to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it:

Provided that no sale shall be set aside on this ground, unless the applicant proves to the satisfaction of the Commissioner, or the Chief Com-

missioner (as the case may be), that he has sustained substantial injury by reason of the irregularity or mistake complained of.

80. (1) A sale on which the purchase-money has been paid as directed in section 78, and against which no application under section 79 has been preferred, shall, subject to the provisions of sections 81 and 82, be final at noon of the sixtieth day from the day of sale, reckoning the said day of sale as the first of the said sixty days.

(2) A sale against which such an application has been preferred and has been dismissed by the Chief Commissioner or Commissioner shall, subject as afore-said, be final from the date of the dismissal, if more than sixty days from the day of sale, or, if less, then at noon of the sixtieth day as above provided.

81. The Chief Commissioner may at any time, within one year of a sale becoming final under section 80, set it aside on the ground of hardship or injustice.

82. (1) A sale for arrears of revenue shall not be annulled by a Civil Court, except on the ground of its having been made contrary to the provisions of this Regulation, and on proof that the plaintiff has sustained substantial injury by reason of the neglect of those provisions.

(2) A suit to annul such a sale shall not be entertained upon any ground, unless that ground has been specified in an application made to the Commissioner or Chief Commissioner under section 79, or unless it is instituted within one year from the date of the sale becoming final under section 80.

(3) No person shall be entitled to contest the legality of a sale after having received any portion of the purchase-money.

83. Nothing in the foregoing sections shall be construed to debar any person, considering himself wronged by any act or omission connected with a sale under this Regulation, from his remedy in a suit for damages against the person by whose act or omission he considers himself to have been wronged.

84. Whenever the sale of any estate is set aside, the purchaser shall be entitled to receive back from the Government his purchase-money, except the surplus thereof (if any) paid away under the last clause of section 87, with or without interest, at such rate, not exceeding six per centum per annum, as the Chief Commissioner thinks fit.

85. (1) After a sale has become final, the Deputy Commissioner shall put the purchaser into possession of the property sold, and shall grant him a certificate to the effect that he has purchased the property to which the certificate refers.

(2) The certificate shall bear the date on which the sale became final under section 80, and the

*The Assam Land and Revenue Regulation, 1886.*

*(Chapter V.—Arrears and the Mode of recovering them.—Sections 86-94.)*

title to the property sold shall vest in the purchaser from the date of the certificate, and not before.

86. The name of the purchaser to be entered in the certificate shall be that of the person declared at the time of sale to be the actual purchaser, and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

87. When a sale has become final under section 80, the proceeds of the sale shall be applied—

- first*, to defraying the expenses of the sale;
- secondly*, to the payment of the arrear due;
- thirdly*, to the payment of any other arrear due by the same defaulter;

and the surplus, if any, shall be paid to the person whose property has been sold, and shall not, except under an order of a Civil Court, be payable to any creditor of that person.

88. The person named in the certificate of title as purchaser shall be liable for all instalments of land-revenue becoming due in respect of the property purchased subsequently to the accrual of the arrear for the recovery of which the property was sold.

89. When an estate held by settlement-holders situate in any local area to which the Chief Commissioner may, by notification, apply this section, is sold under section 70, any recorded settlement-holder of the estate, not being himself in arrear with regard to the revenue which, as between him and the other settlement-holders, is payable by him, may, if the lot has been knocked down to a stranger, claim to take the property at the sum last bid:

Provided that the claim is made on the day of sale, and before the officer conducting the sale has left the office for the day, and that the claimant fulfils all the other conditions of the sale.

*Annulment of Settlement.*

90. (1) Where the estate in respect of which the arrear has accrued is not a permanently-settled estate, and is situate in any local area to which the Chief Commissioner may by notification apply this section, if the process provided for in section 69 is not sufficient for the recovery of the arrear, the Deputy Commissioner may, by proclamation published in the prescribed manner, annul the existing settlement of the estate and relinquish the claim of the Government to the arrear:

Provided that—

- (a) if the arrear is in respect of an estate in which the settlement-holder has a permanent, heritable and transferable right of use and occupancy, the Deputy Commissioner shall not, unless the Chief Commis-

sioner otherwise, by rule, directs, annul the settlement without the sanction of the Chief Commissioner;

- (b) this section shall not apply to the recovery of any arrear which may have accrued on an estate—

- (1) while it was under the management of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the law for the time being in force; or

- (2) while it was under attachment by order of a revenue-authority.

(2) Upon the publication of a proclamation under this section, all incumbrances, other than the tenures mentioned in section 71, proviso *first*, clause (b), affecting the estate, or any portion thereof, shall become void, and the Deputy Commissioner may enter upon and manage the estate and receive all rents and profits accruing therefrom, or may dispose of the estate in accordance with the rules issued by the Chief Commissioner under section 12.

*Sale of Immoveable Property other than the defaulting Estate.*

91. (1) If an arrear cannot be recovered by any Power to proceed of the foregoing processes, against defaulters other and the defaulter is in possession of any immoveable property, the Deputy Commissioner may proceed against any of that other property situated within his district according to the law for the time being in force for the attachment and sale of immoveable property under the decree of a Civil Court.

(2) If there is no such other property in his district, the Deputy Commissioner may make under his hand a certificate, in the prescribed form, of the amount of the arrear remaining unpaid, and may forward the same to the Deputy Commissioner of any other district in which this Regulation is in force, and within the limits of which the defaulter is possessed of any such property; and that Deputy Commissioner shall thereupon proceed to realise the arrear as if it were an arrear accruing in his own district.

*Supplemental.*

92. The costs of serving any notice, proclamation or other process under this chapter shall be recoverable as part of the arrear in respect of which such process was issued.

93. Arrears of land-revenue due at the commencement of this Regulation shall be recoverable as nearly as may be according to the provisions of this chapter.

94. The provisions of this chapter shall, so far as may be, apply to the recovery of any sum of money realisable under any enactment for the time being in force as if it were an arrear of land-revenue.



*The Assam Land and Revenue Regulation, 1886.*

(Chapter VI.—Partition and Union of Revenue-paying Estates.—Sections 95-104.)

95. The Chief Commissioner may, from time to time, make rules, not inconsistent with this Regulation, to provide for the proper performance of all things to be done, and for the regulation of all proceedings to be taken, under this chapter.

### CHAPTER VI.

#### PARTITION AND UNION OF REVENUE-PAYING ESTATES.

96. Partition is either perfect or imperfect. "Perfect partition" means the division of a revenue-paying estate into two or more such estates, each separately liable for the revenue assessed thereon. "Imperfect partition" means the division of a revenue-paying estate into two or more portions jointly liable for the revenue assessed on the entire estate.

97. (1) Every recorded proprietor of a permanently-settled estate, and every recorded landholder of a temporarily-settled estate, may, if he is in actual possession of the interest in respect of which he desires partition, claim perfect or imperfect partition of the estate:

Provided that—

- (a) no person shall be entitled to apply for perfect partition if the result of such partition would be to form a separate estate, liable for an annual amount of revenue less than five rupees;
  - (b) no person shall be entitled to apply for imperfect partition of an estate unless with the consent of recorded co-sharers holding in the aggregate more than one-half of the estate;
  - (c) a person may claim partition only in so far as the partition can be effected in accordance with the provisions of this chapter.
- (2) When two or more proprietors or landholders would be entitled under sub-section (1) to partition in respect of their respective interests in the estate, they may jointly claim partition in respect of the aggregate of their interests.

98. Every application for perfect partition shall be in writing, shall be presented to the Deputy Commissioner, and shall specify the area of the estate, the applicant's interest therein and the names of the other proprietors or landholders.

99. (1) The Deputy Commissioner shall, if the application is in order and not open to objection on the face of it, publish a proclamation at his office, and at some conspicuous place on the estate to which the application relates; and shall serve a notice on all such of the recorded proprietors or landholders of the estate as have not joined in the application, requiring any of them in possession who may object to the partition to appear before him and state their objections, on a day to be

specified in the proclamation and notice, not being less than thirty or more than sixty days from the date on which the proclamation is issued.

(2) Where, from any cause, notice cannot be personally served on any proprietor or landholder, the proclamation shall be deemed sufficient notice under this section.

100. (1) If an objection preferred as required under section 99 raises any question of title which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner shall stay his proceedings for such time as, in his opinion, is sufficient to admit of a suit being instituted in the Civil Court to try the objection.

(2) A Deputy Commissioner staying his proceedings under this section shall make an order requiring the objector, or, if for any reason he deems it more equitable, the applicant, to institute such a suit within the time fixed, and, in the event of such a suit not being instituted within that time, may, in his discretion, disallow the objection, or dismiss the application, as the case may be.

(3) On a suit being instituted to try any objection under this section, the Deputy Commissioner shall, with reference to the objection, be guided by the orders passed by the Civil Court in the suit.

101. If any objection, other than an objection of the nature referred to in section 100, is preferred as aforesaid to the partition, the Deputy Commissioner shall dispose of it himself; unless for any reason he thinks fit to require that it be submitted to a Civil Court for adjudication, in which event the provisions of section 100 shall apply to the objection.

102. When the period specified under section 99 has expired, and the Deputy Commissioner after objections (if any) made have been disposed of by the Deputy Commissioner or by the Civil Court, as the case may be, the Deputy Commissioner shall, if no such objection has been allowed, proceed to make the partition:

Provided that the Deputy Commissioner may, in his discretion, in order to admit of the institution of an appeal from any decision regarding an objection, or for any other reason he deems sufficient, further postpone his proceedings.

103. The Deputy Commissioner may give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he may make the partition himself.

104. In making partitions the Deputy Commissioner, and any person appointed by him, shall have the same powers for entry on the land under partition, for making out the boundaries, surveying and other purposes, as have been conferred on Survey-officers by or under this Regulation.

*The Assam Land and Revenue Regulation, 1886.**(Chapter VI.—Partition and Union of Revenue-paying Estates.—Sections 105-117.)*

**105.** Where there are no lands held in common, the lands held in severalty shall be declared a separate estate, and shall be separately assessed to the Government revenue.

**106. (1)** Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of those lands in accordance with village-custom, if any such exists. If no such custom exists, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the common lands.

(2) The portion of the common lands falling by the partition to the share of the applicant shall be added to the land held by him in severalty, and the aggregate thus formed shall be declared a separate estate, and shall be separately assessed to the Government revenue.

**107.** Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the estate, and the land allotted to him shall be declared a separate estate, and shall be separately assessed to the Government revenue.

**108.** In making a partition under section 105 or section 106, the Deputy Commissioner shall give effect to any transfer of lands held in severalty, forming part of the estate, agreed to by the parties and made before the declaration of the partition.

**109.** In all cases each estate shall be made as compact as possible:

Provided that, except with the sanction of the Commissioner, or when there is no Commissioner, with the sanction of the Chief Commissioner, no partition shall be disallowed solely on the ground of incompactness.

**110. (1)** If, in making a partition, it is necessary to include in the estate assigned to one sharer the land occupied by a dwelling-house or other building in the possession of another co-sharer, that other co-sharer shall be allowed to retain it, with any buildings thereon, on condition of his paying a reasonable ground-rent for it to the sharer into whose portion it may fall.

(2) The limits of the land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

**111. (1)** Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

(2) Where, from the extent, situation or construction of any such work, it is found necessary that it should continue the joint property of the proprietors or landholders of two or more of the estates into which the estate is divided, the Deputy

Commissioner shall determine the extent to which the proprietors or landholders of each estate may make use of the work, and the proportion of the charge for repairs to be borne by them respectively, and the manner in which the profits, if any, derived from the work, are to be divided.

**112. (1)** Places of worship and burial-grounds, held in common previous to the partition of an estate, shall continue to be so held, unless the parties otherwise agree among themselves.

(2) In such cases they shall state in writing the agreement into which they have entered, and their statement shall be filed with the record.

**113. (1)** The amount of revenue to be paid by each portion of the divided estate shall be determined by the Deputy Commissioner: Provided that the aggregate revenue of the new estates shall not exceed the revenue assessed on the estate immediately before partition.

(2) The proprietors or landholders of each of the new estates shall be jointly and severally liable for the portion of the revenue assessed on their estate, whether new acceptances are taken from them or not.

**114. (1)** The Chief Commissioner shall make rules for determining the costs of partitions under this Act, the mode in which those costs are to be apportioned, and the parties by whom and the stage of the proceedings at which they are to be paid:

Provided that the cost of surveying an estate, when a survey is necessary for the purpose of partition, shall be paid, rateably, by all the proprietors or landholders of the estate according to their interests therein.

(2) If the costs to be paid by the applicant for partition are not paid within a time to be fixed by the Deputy Commissioner subject to the rules made under this section, the case may be struck off the file.

**115.** If at any stage of the proceedings there appears to be any reason for stopping the partition, the Deputy Commissioner may, of his own motion, stay the partition and order the proceedings to be quashed.

**116.** On completion of a partition the Deputy Commissioner shall publish a proclamation of the fact at his office and at some conspicuous place on each of the new estates or in the estate of which they originally formed part; and the partition shall take effect from the beginning of the agricultural year next after the date of the proclamation.

**117.** An appeal against the decision of the Deputy Commissioner making a partition shall lie to the Commissioner of the Division, or, where there is no Commissioner, to the Chief Commissioner, within one year from the date on which the partition takes effect.



*The Assam Land and Revenue Regulation, 1886.*

*(Chapter VII.—Powers of Officers.—Sections 118-128.)*

**118.** Where the revenue is fraudulently or erroneously distributed at the time of the partition, the Chief Commissioner may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the revenue upon the several estates into which the estate has been divided, on an estimate of the assets of each estate at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

**119.** Imperfect partition shall be carried out according to the provisions of the preceding sections, so far as they are applicable.

**120.** If a recorded proprietor or landholder is in possession of two or more revenue-paying estates, he may, subject to the rules framed under section 121, claim to have those estates united, and to hold them as a single estate.

**121.** The Chief Commissioner may make rules, not being inconsistent with this Regulation, as to the procedure and principles to be observed in dealing with applications for, and in carrying out, the partition and union of estates, and in assessing the land-revenue on estates divided.

CHAPTER VII.

POWERS OF OFFICERS.

*Part A.—Revenue-officers.*

**122.** The Chief Commissioner shall, subject to the control of the Governor General in Council, be the chief controlling authority.

**123.** Every Commissioner of a Division, Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner shall be a revenue-officer for the purposes of this Regulation.

**124.** Subject to the control of the Governor General in Council, the Chief Commissioner may, for the purposes of this Regulation,—

(a) appoint to each district, in addition to the officers mentioned in section 123, as many other revenue-officers as he thinks fit; and

(b) suspend or remove any officer appointed under this section.

**125. (1)** The Chief Commissioner may, for the purposes of this Regulation,—

(a) divide any district into sub-divisions, or make any portion of a district a sub-division, and may alter the limits of a sub-division; and

(b) place any Assistant Commissioner or Extra Assistant Commissioner in charge of one or more sub-divisions of a district, and at any time remove him therefrom.

(2) An Assistant Commissioner or Extra Assistant Commissioner in charge of a sub-division shall be called the Sub-divisional Officer.

**126. (1)** A Sub-divisional Officer shall, in addition to any other powers conferred on him by or under this Regulation, have the following powers of a Deputy Commissioner, namely:—

(a) power to dispose of cases of gain by alluvion or by dereliction of a river, and loss by diluvion under section 34;

(b) power to enquire into and report on revenue-free holdings, and to assess revenue on resumed lands, under Chapter III, Part E;

(c) the powers conferred by sections 50 to 58 (both inclusive) in respect of registration;

(d) power to attach and sell moveable property belonging to defaulters under Chapter V; and

(e) subject to the confirmation of the Deputy Commissioner, power to receive applications and do all that is necessary for effecting partition and union of estates under Chapter VI.

(2) The Chief Commissioner may confer on any Sub-divisional Officer all or any of the other powers of a Deputy Commissioner under this Regulation.

**127.** The Chief Commissioner may confer upon Assistant Commissioners and Extra Assistant Commissioners not in charge of sub-divisions of districts all or any of the powers conferred by or under this Regulation on Sub-divisional Officers in such cases or classes of cases as the Deputy Commissioner of the district may, from time to time, refer to them for disposal.

**128. (1)** All revenue-officers in a district shall be subordinate to the Deputy Commissioner, and shall exercise all powers conferred on them by or under this Regulation subject to his control.

(2) Subject to the general control of the Deputy Commissioner, all revenue-officers, other than the Sub-divisional Officer, in a sub-division of a district shall, unless the Chief Commissioner otherwise directs, be subordinate to the Sub-divisional Officer, and shall exercise all powers conferred on them by or under this Regulation subject to his control.

(3) Subject to the general control of the Chief Commissioner, all revenue-officers in a district which is included in a Commissioner's division

*The Assam Land and Revenue Regulation, 1886.**(Chapter VII.—Powers of Officers.—Sections 129-138.)*

shall be subordinate to the Commissioner, and shall exercise all powers conferred on them by or under this Regulation subject to his control.

**129.** (1) Subject to any rules which the Chief Commissioner may make in this behalf, a Deputy Commissioner or Sub-divisional Officer may refer any case to any revenue-officer subordinate to him for investigation and report, or, if that officer has power to dispose of the case, for disposal.

(2) Subject as aforesaid, a Deputy Commissioner may direct that any revenue-officer subordinate to him shall, without such reference, deal with any case or class of cases arising within any specified area, and either investigate and report on the case or class of cases, or, if he has power, dispose of it himself.

(3) A subordinate revenue-officer shall submit his report on any case referred to him under this section for report to the officer referring it, or otherwise as may be directed in the order of reference; and the officer receiving the report may, if he has power to dispose of the case, dispose of the same, or may return it for further investigation to the officer submitting the report, or may hold the investigation himself.

**130.** The Chief Commissioner or a Commissioner, Deputy Commissioner or Sub-divisional Officer may withdraw any case pending before any revenue-officer subordinate to him, and either dispose of it himself, or refer it for disposal to any other revenue-officer subordinate to him and having power to dispose of the same.

**131.** Whenever any revenue-officer who has been invested with any powers under this Regulation in any district or sub-division is transferred to another district or sub-division, he shall, unless the Chief Commissioner otherwise directs, be held to be invested with the same powers in the district or sub-division to which he is so transferred.

**132.** When a Deputy Commissioner dies, or is disabled from performing his duties, such officer as the Chief Commissioner may by rule direct shall take executive charge of his district, and shall be deemed to be a Deputy Commissioner under this Regulation, until a successor to the Deputy Commissioner so dying or disabled is appointed, and that successor takes charge of his office, or until the person so disabled resumes charge of his office.

*Part B.—Settlement and Survey Officers.*

**133.** (1) The Chief Commissioner may appoint a Settlement-officer to be in charge of the settlement of any local area or class of estates, and as many Assistant Settlement-officers as he thinks fit; and all Assistant Settlement-officers so appointed shall be subordinate to the Settlement-officer.

(2) The Chief Commissioner may suspend or remove any officer appointed under this section.

**134.** (1) The Chief Commissioner may appoint a Survey-officer, to be in charge of the survey of any local area or class of estates, and as many Assistant Survey-officers as he thinks fit; and all Assistant Survey-officers so appointed shall be subordinate to the Survey-officer.

(2) The Chief Commissioner may suspend or remove any officer appointed under this section.

**135.** A Settlement-officer shall, in addition to any other powers conferred on him by or under this Regulation, have in the local area or class of estates under settlement—

- (a) all the powers conferred by Chapter III, Part E, on a Deputy Commissioner; and
- (b) when a survey does not form part of the settlement, all the powers conferred by Chapter III, Part B, on a Survey-officer.

**136.** An Assistant Settlement-officer and Assistant Survey-officer shall have all the powers conferred by this Regulation on a Settlement-officer and Survey-officer respectively, subject to such restrictions as the Settlement-officer or Survey-officer may, from time to time, impose:

Provided that no Assistant Settlement-officer shall, unless specially empowered by the Chief Commissioner, have power—

- (a) to frame proposals for assessment under section 30;
- (b) to exclude persons under sections 35 and 36 for refusal to accept settlement; or
- (c) to assess land which the Chief Commissioner has under section 45, sub-section (2), declared liable to assessment.

**137.** The Chief Commissioner may invest any Settlement-officer, Survey-officer, Assistant Settlement-officer or Assistant Survey-officer with all or any of the powers of a Deputy Commissioner under this Regulation, within such limits, and with such restrictions, and for such period, as he thinks fit.

**138.** (1) At any time during the currency of a settlement the Chief Commissioner may invest any Settlement-officer or Survey-officer with all or any of the powers of a Settlement-officer or Survey-officer under this Regulation, within such limits, and with such restrictions, and for such period, as he thinks fit.

(2) If no Settlement-officer or Survey-officer is appointed, and no officer is invested with the powers of a Settlement-officer or Survey-officer under sub-section (1), the Deputy Commissioner and Sub-divisional Officer (if any) shall have all the powers conferred by this Regulation on a Settlement-officer or Survey-officer, as the case may be.



*The Assam Land and Revenue Regulation, 1886.**(Chapter VIII.—Procedure.—Sections 139-147.)**Part C.—Mode of conferring and withdrawing Powers.*

139. (1) In conferring powers under this Regulation the Chief Commissioner may, subject to such rules as the Governor General in Council may make in this behalf, empower persons by name or classes of officials generally by their official titles, and may vary or cancel any order conferring such powers.

(2) The Chief Commissioner may withdraw from any officer the powers conferred on him by this Regulation.

## CHAPTER VIII.

## PROCEDURE.

Place for holding Court. 140. Subject to the orders of the Chief Commissioner—

- (a) a Commissioner of a Division may hold his Court at any place within his division;
- (b) a Deputy Commissioner, an Assistant Commissioner (whether in charge or not of a sub-division of a district), a Settlement-officer, an Assistant Settlement-officer, a Survey-officer, and an Assistant Survey-officer, may hold his Court at any place within the limits of the district or sub-division to which he is appointed.

141. (1) The Chief Commissioner and any officer mentioned in section 140 may summon any person whose attendance he considers necessary for the purposes of any investigation or other business before him conducted under this Regulation.

(2) All persons so summoned shall be bound to attend either in person or by authorised agent as such officer may direct;

and to state the truth upon any subject respecting which they are examined;

and to produce such documents and other things as may be required.

142. If any person fails to comply within the time fixed by a notice served on him with any requisition made upon him under section 141, the officer making the requisition may impose upon him such daily fine as he thinks fit, not exceeding fifty rupees, until the requisition is complied with:

Provided that whenever the amount levied under an order under this section passed by an officer other than Commissioner or the Chief Commissioner exceeds five hundred rupees, the Deputy Commissioner shall report the case to the Commissioner, or, if there is no Commissioner, to the Chief Commissioner, and no further levy in respect of the fine shall be made otherwise than by authority of the Commissioner or Chief Commissioner, as the case may be.

143. (1) The Chief Commissioner, a Commissioner of a Division, a Deputy Commissioner, a Sub-divisional Officer, a Settlement-officer or an Assistant Settlement-officer, a Survey-officer or an Assistant Survey-officer, may, with the consent of the parties, refer any dispute before him to arbitration.

(2) In all cases referred to arbitration the procedure laid down in the Code of Civil Procedure in force for the time being shall be followed so far as applicable, and the officer referring the case shall discharge the functions of the Civil Court. XIV of 1882.

144. All fees, rents, fines, costs and other money payable under this Regulation, or under rules made by the Chief Commissioner under this Regulation, shall be recoverable as an arrear of land-revenue.

145. If a Deputy Commissioner has reason to believe that a revenue-officer subordinate to him who has collected any sum due under this Regulation has absconded, or is about to abscond, without accounting for such sum, he may issue a warrant for the apprehension of the officer, and proceed against him, or cause proceedings to be instituted against him, under Chapter V, as if he were a defaulter in the amount so collected.

146. Any person who has become liable for any amount as surety for a defaulters or revenue-officer may be proceeded against in the manner prescribed in Chapter V as if he were a defaulter in such amount.

147. Appeals shall lie under this Regulation as follows:—

(a) to the Chief Commissioner, from any original or appellate order passed by a Commissioner;

(b) to the Chief Commissioner, from any order, original or appellate, passed by a Deputy Commissioner of a district not included in any division of a Commissioner or by a Settlement-officer in any such district;

(c) to the Commissioner, from orders, original or appellate, passed by a Deputy Commissioner, Settlement-officer or Survey-officer;

(d) to the Deputy Commissioner, from orders passed by a Sub-divisional Officer, an Assistant Commissioner or Extra Assistant Commissioner; and from orders, original or appellate, passed by a Survey-officer in a district not included in any division of a Commissioner;

(e) to a Settlement-officer, from orders passed by an Assistant Settlement-officer;

(f) to a Survey-officer, from orders passed by an Assistant Survey-officer:

*The Assam Land and Revenue Regulation, 1886.**(Chapter VIII.—Procedure.—Chapter IX.—Miscellaneous.—Sections 148-154.)*

Provided that no appeal shall lie against the following orders:—

- (g) orders of an Assistant Settlement-officer or Assistant Survey-officer under sections 21 and 22;
- (h) orders of a Survey-officer or Settlement-officer—
  - (1) under sections 21, 22 and 24;
  - (2) apportioning the expenses of erecting and repairing boundary-marks in accordance with rules made under section 27;
- (i) orders of a Survey-officer, Settlement-officer or Deputy Commissioner, original or appellate, imposing or confirming a fine not exceeding fifty rupees;
- (j) orders of a Commissioner imposing a fine not exceeding one hundred rupees;
- (k) any decision given in accordance with an award of arbitrators appointed under section 143, except in the case of fraud or collusion;
- (l) orders under section 148, admitting an appeal after the period of limitation has expired;
- (m) orders expressly declared by this Regulation to be final subject to the provisions of section 151.

**148. (1)** Unless otherwise specially provided in this Regulation, or in rules issued under this Regulation,—

- (a) no appeal under section 147, clauses (d), (e) and (f), shall lie after the expiration of thirty days from the date of the order appealed against;
- (b) no appeal under the same section, clause (c), shall lie after the expiration of six weeks from the date of the order appealed against;
- (c) no appeal under the same section, clauses (a) and (b), shall lie after the expiration of two months from the date of the order appealed against.

(2) In computing the period prescribed for an appeal by this section, the day on which the order appealed against was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

(3) An appeal may be admitted after the period of limitation prescribed therefor by this section when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within that period.

**149.** The officer to whom the appeal lies may reject the appeal without hearing the respondent (if any); if he admits the appeal, he may reverse, modify or confirm the order appealed against, or he may direct such further investigation to be made or such additional evidence to be taken as he may think necessary, or he may himself take such additional evidence.

**150.** In any case in which an appeal is admitted the Appellate Court may, if it thinks fit, pending the result of the appeal, direct the order appealed against to be suspended.

**151.** The Chief Commissioner, a Commissioner, a Deputy Commissioner, a Settlement-officer and a Survey-officer may call for the proceedings held by any officer subordinate to him, and pass such orders thereon as he thinks fit.

**152.** The Chief Commissioner may make rules consistent with this Regulation to regulate the procedure of officers in the discharge of any duty imposed on them by or under this Regulation, and may by such rules confer upon any officer any power exercised by a Civil Court in the trial of suits.

## CHAPTER IX.

## MISCELLANEOUS.

**153. (1)** No proceedings under this Regulation shall be affected by reason of any mistake in the name of any person thereby rendered liable to pay any sum of money, or in the description of any estate in respect of which he is rendered liable to pay, or by reason of any other informality, provided that the provisions of this Regulation, and of the rules passed under this Regulation, have been substantially complied with.

(2) No proceedings under this Regulation shall be affected by reason of any irregularity or omission in the publication or service of any notice or proclamation thereunder, unless it is proved that some material injury was caused by such irregularity or omission.

**154. (1)** Except when otherwise expressly provided in this Regulation, or in rules issued under this Regulation, no Civil Court shall exercise jurisdiction in any of the following matters:—

- (a) questions as to the validity or effect of any settlement, or as to whether the conditions of any settlement are still in force;
- (b) question as to the amount of revenue, tax, cess or rate to be assessed; and the mode of principle of assessment;
- (c) the formation of the record-of-rights, or the preparation, signing or alteration of any document contained therein;
- (d) claims of persons to perfect partition;
- (e) claims of persons to imperfect partition, except in cases in which a perfect partition could not be claimed from, and has been refused by, the revenue-authorities on the ground that the result of such partition would be to form a separate estate liable for an annual amount of revenue less than five rupees;
- (f) the distribution of the land or allotment of the revenue on partition;



*The Assam Land and Revenue Regulation, 1886.**(Chapter IX.—Miscellaneous.—Sections 155-159.)*

- (g) claims connected with, or arising out of, the collection of land-revenue, or any process for the recovery of an arrear of land-revenue or of any sum which is by this Regulation, or by any other enactment for the time being in force, realisable as an arrear of land-revenue;
- (h) claims to occupy or resort to lands under sections 13 and 14, and disputes as to the use and enjoyment of such lands between persons permitted to occupy or resort to the same;
- (i) claims to have an allotment made under section 13 or section 14, and objections to the making of such allotment;
- (j) claims to a remission or refund of any revenue, cess, tax, rate, fee or fine payable or paid under this Regulation or leviable under any enactment for the time being in force as an arrear of land-revenue;
- (k) claims to set aside a decision passed in accordance with an award of arbitrators;
- (l) claims to any office connected with the revenue-administration or to any emolument appertaining to such office, or in respect of any injury caused by exclusion, suspension or removal therefrom; and
- (m) any matter respecting which an order expressly declared by this Regulation to be final, subject to the provisions of section 151, has been passed.

(2) In all the above cases jurisdiction shall rest with the revenue-authorities only.

(3) Notwithstanding anything in section 265 or section 396 of the Code of Civil Procedure, a Civil Court may, in the case of a claim for an imperfect partition with respect to which its jurisdiction is not barred by this section, exercise the same powers in making the partition of a revenue-paying estate as it is competent to exercise in making the partition of a revenue-free estate.

(4) When a Civil Court has made an imperfect partition of a revenue-paying estate, the amount of revenue for which each portion of the divided estate is, as between that portion and the other portions, to be liable shall be determined by the Deputy Commissioner in the same manner as if the partition had been carried out by himself under Chapter VI of this Regulation.

155. The Chief Commissioner may, in addition to the other matters for which he is empowered by this Regulation to make rules, make rules, consistent with this Regulation, relating to the following matters:—

- (a) the person by whom, and the time, place and manner at or in which, anything is to be done for the doing of which provision is made in this Regulation or the rules made thereunder;
- (b) the mode in which notices, proclamations, summonses, warrants and other processes issued under this Regulation shall be issued, published and served, and the fees to be charged for the issue, publication and service of such processes;

- (c) the costs of all proceedings under this Regulation;
- (d) the manner in which representatives shall be appointed to act in matters relative to this Regulation on behalf of any body of settlement-holders or persons entitled to, or with whom it may be desirable to make, a settlement;
- (e) the granting of licenses to prepare or collect, or the farming of the right of preparing or collecting, rubber, lac and other forest-produce upon land over which no person has the rights of a proprietor, landholder or settlement-holder;
- (f) the granting of licenses, or the farming of the right, to work mines, stone and lime-quarries, salt-wells and oil-wells, to fish in fisheries proclaimed under section 16, and to carry on gold-washing operations;
- (g) the payments in consideration of which, and the conditions on which, such licenses or farms may be granted; and
- (h) generally to carry out the provisions of this Regulation.

156. The Chief Commissioner may, in making any rule under this Regulation, attach to the breach of it, in addition to any other consequence which would ensue from such breach, a penalty which may extend to two hundred rupees, or, when such breach is a continuing breach, to fifty rupees for each day during which such breach continues.

157. (1) The Chief Commissioner shall, before making any rules under this Regulation, publish in such manner as may, in his opinion, be sufficient for giving information to persons interested, a draft of the proposed rules, with a notice specifying a date at or after which the draft will be taken into consideration; and shall, before making the rules, receive and consider any objection or any suggestion which may be made by any person with respect to the draft before the date so specified.

(2) If, on such consideration of the draft, any modification is made, the Chief Commissioner shall determine whether it is necessary to re-publish the draft under this section.

(3) In making rules under this Regulation the Chief Commissioner shall act subject to the control of the Governor General in Council.

(4) All rules made by the Chief Commissioner under this Regulation shall be published in the local official Gazette, and shall thereupon have the force of law.

158. (1) The Chief Commissioner shall at least once in every three years cause all rules in force under this Regulation to be arranged in some convenient order according to their subject-matter and consolidated, and, where necessary, shall, subject to the control of the Governor General in Council, amend the rules so arranged and consolidated.

(2) The rules so arranged, consolidated and amended shall be published in the local official Gazette, and upon such publication all previous rules under this Regulation shall cease to be in force.

159. All powers conferred by this Regulation may be exercised from time to time as occasion requires.

*The Assam Land and Revenue Regulation, 1886.*  
(The Schedule.—Enactments repealed.)

THE SCHEDULE.

(See section 2.)

ENACTMENTS REPEALED.

Part I.—Bengal Regulations.

Number and year.	Subject.	Extent of repeal.
XIX, 1793	Non-bádsháhi lákhiráj grants . . . .	The whole.
XXXVII, "	Bádsháhi lákhiráj grants . . . .	Ditto.
XLVIII, "	Quinquennial Register . . . .	Ditto.
III, 1794	Collection of land-revenue; Embezzlement by tahsildárs . . . .	Ditto.
XV, 1797	Fees . . . .	Ditto.
VIII, 1800	Parganá Register and Mutations . . .	Ditto.
I, 1801	Division of joint estates . . . .	Ditto.
XI, 1811	Partition . . . .	Ditto.
V, 1812	Leases by proprietors; Collection of land- revenue . . . .	Ditto.
XVIII, "	Leases by proprietors; Partition . . .	Ditto.
XIX, 1814	Partition . . . .	Ditto.
II, 1819	Resumption . . . .	Ditto.
IV, 1821	Assistant Collectors . . . .	Ditto.
III, 1822	Board of Revenue . . . .	Ditto.
VII, "	Settlement . . . .	Ditto.
XI, "	Sales of land for arrears of revenue . .	Ditto.
IX, 1825	Extending Regulation VII, 1822 . . .	Ditto.
XIII, "	Lákhiráj tenures; Kanúngos . . . .	Ditto.
XIV, "	Lákhiráj tenures . . . .	Ditto.
III, 1828	Special Commissioners . . . .	Ditto.
IV, "	Settlement . . . .	Ditto.
I, 1829	Commissioners . . . .	Ditto.
IX, 1833	Settlement; Deputy Collectors . . .	Ditto.

Part II.—Acts of the Governor General in Council.

Act	II, 1835	Assam; Arracan; Tenasserim . . . .	So far as it refers to the Board of Revenue.
"	VI, "	Khási Hills and Cachar . . . .	Ditto.
"	XX, 1836	Partition . . . .	The whole.
"	XXI, "	Zilas . . . .	Ditto.
"	XI, 1838	Remuneration of Amins effecting partitions .	Ditto.
"	XII, 1841	Sales of land for arrears of revenue . .	Ditto.
"	IX, 1847	Assessment of lands gained by alluvion .	Ditto.
"	XX, 1848	Attendance before Collectors . . . .	Ditto.
"	XII, 1850	Default of public accountants . . . .	Ditto.
"	XLIV, "	Board of Revenue . . . .	Ditto.
"	XXXI, 1858	Settlement of alluvial lands . . . .	Ditto.
"	XI, 1859	Sales of land for arrears of revenue . .	Ditto.

Part III.—Acts of the Lieutenant-Governor of Bengal in Council.

Act	III, 1862	Amending Act XI of 1859 . . . .	The whole.
"	VII, "	Repealing section 30, Regulation II, 1819 .	Ditto.
"	IV, 1864	Amending Act XXI, 1826 . . . .	Ditto.
"	III, 1868	" Regulation VII, 1822 . . . .	Ditto.
"	IV, "	" Act IX, 1847 . . . .	Ditto.
"	VII, "	" Act XI, 1859 . . . .	Ditto.
"	II, 1871	" Act XI, 1859 . . . .	Ditto.
"	VII, 1880	Recovery of Public Demands . . . .	So far as it relates to recovery of arrears of land-revenue.

Part IV.—Regulation under 33 Victoria, Chapter 3.

Regulation	IV, 1875	Realisation of arrears of revenue in Syllhet and Goálpára . . . .	The whole.
------------	----------	--	------------

S. HARVEY JAMES,

Offg. Secretary to the Government of India.



## HOME DEPARTMENT.

## NOTIFICATIONS—PUBLIC.

*Calcutta, the 8th March 1886.*

**No. 383.**—The services of the Honorable H. S. Cunningham, a Judge of the High Court of Judicature at Fort William in Bengal, are placed temporarily at the disposal of the Department of Finance and Commerce, with effect from the 16th instant.

## MEDICAL.

*The 9th March 1886.*

**No. 94.**—The services of Surgeon-Major J. Cleghorn, M.D., Officiating Surgeon Superintendent of the Presidency General Hospital, Calcutta, are replaced at the disposal of the Government of the North-Western Provinces and Oudh.

**No. 97.**—APPOINTMENT.—Surgeon-Major A. Crombie, M.D., Civil Surgeon, Dacca, to act as Surgeon Superintendent of the Presidency General Hospital, Calcutta, during the absence on leave of Surgeon-Major E. A. Birch, or until further orders.

## JUDICIAL.

*The 8th March 1886.*

**No. 351.**—Under the provisions of the Act of Parliament 24 and 25<sup>th</sup> Vic., cap. 104, section 7, the Honorable the President in Council is pleased to appoint Mr. W. F. Agnew, Barrister-at-Law, Recorder of Rangoon, to officiate as a Judge of the High Court of Judicature at Fort William in Bengal, with effect from the 16th instant, *vice* the Honorable Mr. Justice Cunningham, on special duty, or until further orders.

**No. 354.**—Mr. R. S. T. MacEwen, Barrister-at-Law, Additional Recorder of Rangoon, is appointed to officiate as Recorder of Rangoon, *vice* Mr. Agnew.

Mr. C. E. Fox, Barrister-at-Law, Officiating Government Advocate, British Burma, is appointed to officiate temporarily as Additional Recorder of Rangoon, and to sit as such in the Court of the Recorder of Rangoon.

**No. 359.**—Mr. Robert Leycester Upton, Solicitor to Government, has obtained leave of absence to Europe for twenty months from the 20th instant, or any subsequent date on which he may avail himself of the same.

**No. 360.**—Mr. H. A. Adkin is appointed to officiate as Solicitor to Government during the absence on leave of Mr. Robert Leycester Upton, or until further orders.

*The 10th March 1886.*

**No. 374.**—Under Section 4 of the Statute 24 and 25 Vic., cap. 104, the Honorable Sir Richard Garth, Kt., Q.C., Chief Justice of the High Court of Judicature at Fort William in Bengal, has tendered the resignation of his appointment to the Governor-General in Council, with effect from the 24th instant.

**No. 375.**—Her Majesty the Queen, Empress of India, has been graciously pleased to appoint

the Honorable Sir William Comer Petheram, Kt., Q.C., Chief Justice of the High Court of Judicature for the North-Western Provinces, to be Chief Justice of the High Court of Judicature at Fort William in Bengal, with effect from the 24th instant.

*The 12th March 1886.*

**No. 379.**—The Honorable G. E. Porter, C.S., took his seat as an Officiating Judge of the High Court of Judicature at Fort William in Bengal on the forenoon of the 8th instant.

## ECCLESIASTICAL.

*The 8th March 1886.*

**No. 81.**—The Reverend S. L. G. Sandberg, B.A., a Junior Chaplain on the Bengal Ecclesiastical Establishment, reported his arrival at Calcutta on the 1st instant.

*The 12th March 1886.*

**No. 84.**—The services of the Reverend S. L. G. Sandberg, B.A., a Junior Chaplain on the Bengal Ecclesiastical Establishment, are placed at the disposal of the Government of Bengal, with effect from the 12th March 1886.

## PATENTS.

*The 9th March 1886.*

**No. 335.**—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, upon payment of a fee of one Rupee. A certified copy of any specification will be given to any person requiring the same on payment of the expense of copying:—

**No. 27 of 1885.**—James Hodgkinson, of the Firm of Hodgkinson and Company, Limited, Ordsall Machine Works, Woden Street, Salford, Manchester, in the County of Lancaster, England, for improvements in mechanical stokers and in apparatus connected therewith.

**No. 42 of 1885.**—Peter Kirk, of Bankfield, Workington, in the County of Cumberland, England, Iron and Steel Manufacturer, for improvements in, and in the manufacture of, combined chairs and sleepers.

**No. 101 of 1885.**—William Bull, Civil Engineer, of Southborough, Tunbridge Wells, England, and Thomas Roland Jordan, of Adelaide Chambers, Grace Church Street, London, for an improved form of Thermantidote.

**No. 113 of 1885.**—John Herbert Hieroy Rolfe, of Kokebamookh, Jorhat, Assam, Engineer, for an improved air-heating stove to be called the "Salamander."

- No. 141 of 1885.—James Saxby, of Cleveland House, Upper Tooting, in the County of Surrey, England, Engineer, for apparatus for moving and locking Railway Points.
- No. 171 of 1885.—Katherine Jane Dance, of Godalming, Surrey, England, for improvements in apparatus for making bread, biscuits, and the like.
- No. 181 of 1885.—William Hood Gilruth, of Ceylon, late of Assam, Planter, for improvements in the method of packing tea and similar substances.
- No. 192 of 1885.—Elias Flotron (Engineer), of 6, Rue d'Amerique Nice and Francois Barthelemy Alfred Royer de la Bastie (Gentleman), of 73, Rue Taitbout, Paris, both in the Republic of France, for improvements in submarine and subterranean electric cables.
- No. 195 of 1885.—Henry Adams, of 60, Queen Victoria Street, in the City of London, England, Civil and Mechanical Engineer, and William Adams, of Nine Elms, in the County of Surrey, England, Locomotive Engineer, for improvements in blast pipes for locomotive engines, applicable also to other uses.
- No. 2 of 1886.—Evan Rowlands, of 116, Collins Street, West, in the City of Melbourne, and Colony of Victoria, Aërated Water Manufacturer, and Thomas Ferguson, of Harold Street, Albert Park, near Melbourne, aforesaid, Bottler, for an improved machine for bottling aërated liquids.
- No. 4 of 1886.—William Hassall, of Medow Lane, Beeston, in the County of Nottingham, England, Agent, for improvements in joints for earthenware, stoneware, and similar pipes.
- No. 615.—The Governor-General in Council is pleased to authorize the extension, for a period of six years and three months from the 28th June 1886, of the term of exclusive privilege granted on the 28th June 1872, to Mr. William Bull, Civil Engineer, at present residing in Bombay, in respect of his invention for a more economical method of burning bricks.

A. P. MACDONELL,  
*Offg. Secretary to the Government of India.*

## FOREIGN DEPARTMENT.

### NOTIFICATIONS.—GENERAL.

*Fort William, the 8th March, 1886.*

No. 445 G.—Surgeon-Major R. Caldecott, Medical Officer of the 2nd Regiment, Central India Horse, and at present on deputation with the Camp of the Governor-General's Agent in Central India, is appointed to officiate as Residency Surgeon at Indore, and as Civil Administrative Medical Officer in Central India, with effect from the date of assuming charge, during the absence on furlough of Surgeon-Major D. F. Keegan, M.D., or until further orders.

*The 9th March, 1886.*

No. 456 G.—With reference to Foreign Department Notification, No. 2460 G., dated the 1st December, 1885, the recognition of the appointment by the Government of India of Mr. L. Schumacher as Acting Consul for Germany at Rangoon, has been confirmed by Her Majesty's Government.

*The 10th March, 1886.*

No. 463 G.—Mr. R. S. Whiteway, C.S., Settlement Officer, Ajmere-Merwara, is granted furlough to Europe for six months, on private affairs, under Section 50, Chapter V, of the Civil Leave Code, with effect from the 15th April, 1886, or the subsequent date on which he may avail himself of it.

### INTERNAL.

*The 12th March, 1886.*

No. 858 I.—His Excellency the Viceroy and Governor-General is pleased to confer upon Penumettsa Jagannadha Row, Dewan of the Maharaja of Vizianagram, the title of "Rai Bahadur," as a personal distinction.

H. M. DURAND,

*Secretary to the Government of India.*

## DEPARTMENT OF FINANCE AND COMMERCE.

### NOTIFICATIONS.

#### ACCOUNTS AND FINANCE.

*Calcutta, the 12th March 1886.*

#### No. 1199.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

#### READ again—

Resolution No. 4161, dated 11th November 1881, authorising the establishment of Government Savings Banks at certain Post Offices in India and prescribing rules for the guidance of depositors in these Banks.

The following Orders sanctioning certain changes in the rules published in November 1881 :—

No. 1460,	dated	2nd June 1882.
" 3775,	"	16th September 1882.
" 40,	"	31st March 1883.
" 1562,	"	24th June 1884.
" 1052,	"	28th May 1885.

RESOLUTION.—In supersession of all existing orders on the subject, the



Governor General in Council is pleased to prescribe the following revised rules for the guidance of depositors in Post Office Savings Banks:—

*Rules for the Guidance of Depositors in Post Office Savings Banks in India.*

DEFINITIONS.

1. For the purposes of these rules—

*Deposit* means money paid into a Post Office Savings Bank by, or on behalf of, a depositor.

*Depositor* means the person by whom, or on whose behalf, money is deposited.

*Account* means the account of a depositor in a Post Office Savings Bank.

*Balance* means the balance at credit of an account.

*Minor* means a person who has not completed the age of 18 years.

*Legal guardian* means not only any guardian constituted by law for the time being, but also includes a father, or, if the father be dead, a mother.

*Postmaster General* means the chief postal authority in any province or place to which the system of Post Office Savings Banks is extended.

OBJECT OF GOVERNMENT IN ESTABLISHING POST OFFICE SAVINGS BANKS.

2. The object of Government in establishing Post Office Savings Banks is to provide a ready means for the deposit of savings, and so to encourage thrift. Savings Banks are not to be used for the purpose of keeping a current account, and the Comptroller, Post Office, is empowered to close an account should he have reason to believe that the depositor has used the Savings Bank for a purpose for which it was not intended.

BUSINESS HOURS.

3. Post Office Savings Banks will be open for the transaction of business between the hours of noon and 4 p.m. every day, with the exception of Sundays, Christmas Day, New Year's Day, Good Friday, and the Queen's Birthday. These hours may, under the authority of the Postmaster General, be altered to suit local circumstances.

POSTAL OFFICIALS BOUND TO SECRECY.

4. The officers of the Postal Department engaged in the receipt or payment of deposits are not allowed to disclose the name of any depositor, or the amount deposited or withdrawn by him, except to the Postmaster General or other officers of the Department engaged in carrying out the provisions of these rules.

PERSONS WHO MAY DEPOSIT MONEY.

5. Any person may deposit money in a Post Office Savings Bank (a) on his own behalf, or (b) on behalf of any adult relative, or (c) on behalf of any minor relative, or (d) on behalf of any minor of whom he is the guardian.

• *Explanation.*—Minors are allowed to deposit money in their own names, and women, whether married or single, are allowed to deposit money in their own names, but subject, in the case of married women, to the limitation laid down in Rule 6.

LIMITATIONS AS TO OPENING ACCOUNTS.

6. (i) A person may open an account on his own behalf or on behalf of an adult relative, but may not have more than one such account open. If he has an account open on his own behalf, he may not open another on behalf of an adult relative; and similarly, if he has an account open on behalf of an adult relative, he may not open another on his own behalf. If an account is opened on behalf of an adult relative, the account must be in the name of that relative, and should set forth the relationship that subsists between him and the person who opened the account on his behalf.

(ii) In addition to the account which a person may open on his own behalf or on behalf of an adult relative, he may open any number of separate accounts on behalf of any minor related to him or of whom he is the guardian, provided that he shall not open more than one account on behalf of each such minor.

(iii) The fact that an account has been opened on behalf of a minor shall not prevent such minor from opening an account in his own name; nor shall the fact that a married man has an account in his own name prevent his wife from opening a separate account in her own name, provided the money to be deposited by her is her own property or earning.

NOTE A.—This rule is not meant to prevent any one from opening more than one *ex-officio* or public account (*vide* Rule 9).

NOTE B.—Warrant and Non-Commissioned officers and men serving in British Regiments can open accounts in Post Office Savings Banks even though already depositors in Military Savings Banks.

7. Deposits in trust are not allowed, and cannot be recognised. Money cannot be deposited in the name of two or more persons jointly, provided that nothing in this rule shall prevent the deposit of money in the name of a known firm, or on behalf of a benevolent or quasi-public institution.

8. The smallest sum of money that can be deposited at any time is four annas; and no sum can be deposited that is not a multiple of four annas. A depositor cannot deposit a larger sum than five hundred rupees in all between the 31st March of any year and the 1st April of the following year.

NOTE A.—The limit of Rs500 is to be reckoned irrespective of withdrawals, that is, withdrawals are not to be deducted in applying it.

NOTE B.—The limit of R500 may be exceeded—

- (1) in the case of Public Accounts;
- (2) in the case of Regimental and Police Accounts.

NOTE C.—When an account is transferred from one Savings Bank (whether Post Office or Presidency) to another, the amount so transferred shall not be included in calculating the limit of R500, save that portion of it deposited in the current year.

NOTE D.—Deposits made for the purpose of immediate investment in Government Securities are not reckoned in calculating the limit of R500.

#### PUBLIC ACCOUNTS.

9. The following conditions govern the opening of "Public Accounts":—

- (a) Accounts may be opened by officers of Government who have charge of money as Secretaries or Managers of Dispensary, Church, or other religious Institution, School, Orphanage, Asylum, or Library Funds, or any funds contributed for purposes other than the private advantage or amusement of the contributors. Race, Racquet, Billiard, Mess, and similar funds, whose objects are of a private or personal nature, are not within this definition, and such accounts may not be admitted. Band Funds may be admitted if there is no private bank in the place.
- (b) Secretaries and Managers of Dispensary and similar funds (as above mentioned), if they are not officers of Government and the institution is not subject to Government control, can be allowed Savings Bank accounts only if there is no respectable private bank of deposit in the place.
- (c) Secretaries and Managers of Benevolent Funds (that is funds formed by mutual subscription as an insurance against domestic misfortune) may be allowed accounts.
- (d) Officers of Government or of public institutions, such as Railway and Steamer Companies, and the like, who collect subscriptions, voluntary or departmental, from their subordinates for departmental purposes, may be allowed accounts.
- (e) Government officials and others who are required to deposit security may be allowed a separate account for the security deposit only. Such officials will be required to give notice pledging their deposit.
- (f) Public accounts of the kind specified above must be designated by a name indicating the object to which the money is devoted, as *A-pore Dispensary Fund*, *Workman's Sick Fund*, &c. They are exempted from the rules limiting the amount of deposit within one year to R500 (provided the deposit is the *bonâ fide* income of the fund), and interest will be paid upon their full balance, notwithstanding that it exceeds R9-6 a month. But a reduction of balance by more than R3,000 within twelve consecutive months will not be permitted, unless the Secretary or Manager gives six months' notice of his intention to make additional withdrawals, such notice to specify the precise amount to be withdrawn.

10. No account may be allowed for money—

- (1) which is the property of Government, or
- (2) which has been received for credit of Government, or
- (3) which has been drawn from the Treasury for expenditure on account of Government, or
- (4) which is collected or received or held in trust by any public officer or Court in accordance with any law, or
- (5) which is raised by taxation, either local or municipal.

#### REGIMENTAL AND POLICE ACCOUNTS.

11. The Commanding Officer of a Native regiment may open a single account with the Post Office Savings Bank on account of the men of his regiment, making his own arrangements about the separate accounts of the individuals, and about the distribution to them of the interest credited upon the conjoint account. This account shall be subject to the usual rules, save that the limits of R500 for deposits and of R9-6 for monthly interest shall not apply. The Commanding Officer must, however, in presenting any deposits, sign a certificate that, to the best of his belief, the money is the property of the men of the regiment. District Superintendents of Police may have accounts under this rule on account of men in the police force.

N.B.—This rule shall not be held to prevent any Native soldier, or any member of the police force, opening an account of his own in his individual capacity.

#### POWERS TO WITHDRAW MONEY, AND LIMITATIONS AS TO WITHDRAWAL.

12. A depositor can withdraw money from his account once a week. By the term "week" is meant the period from Monday to Saturday, both days inclusive. A depositor can, therefore, withdraw money from his account on Saturday and again on the following Monday.

13. Money deposited on behalf of an adult relative can be withdrawn, not by the person who deposits the money, but only by the adult relative himself. A minor can withdraw money deposited by him in his own name; but money deposited on behalf of a minor can only be withdrawn during his minority by his legal guardian.

14. Women, whether married or single, can withdraw money deposited by them in their own names; and married women can also withdraw money deposited by them as single women in their own names, their marriage notwithstanding. The fact that a female minor, on whose behalf money has been deposited, is married or becomes married after the account has been opened on her behalf, shall not prevent her from withdrawing the money so deposited on attaining majority.



15. A depositor cannot withdraw a smaller sum than four annas, and he cannot withdraw any sum which is not a multiple of four annas, unless it be to close his account, in which case he can withdraw the balance at his credit.

#### HOW TO OPEN AN ACCOUNT.

16. Any person wishing to open an account should apply to the nearest Post Office that is a Savings Bank. Application need not necessarily be made in person; but the applicant must state his name, his occupation or profession, and his place of residence. If he be a Native, he must also state his father's name and caste.

17. The intending depositor must sign a declaration, in the following form, that he has read and accepted the Post Office Savings Bank rules. If he be unable to write, he must attend personally, and, in the presence of a witness, affix his mark or seal to the declaration to be attested by the signature of the witness. If he should apply in person, a copy of the Rules will be given to him to read, or they will be read and explained to him should he be unable to read. If he should not apply in person, a copy of the Rules, with the form of declaration, will be sent to him, and he must present the declaration duly signed with the first deposit.

#### *Form of Declaration to be signed by Depositor on making first deposit.*

I hereby declare that the Post Office Savings Banks Rules have been read { by me } and that I accept them as binding upon me.

I further declare that I have no account either in my own name or in the name of an adult relative at any Post Office Savings Bank.

Signed in the presence of

The \_\_\_\_\_ 188 .

Depositor.

18. Women who, by the custom of the country, are not allowed to appear in public, may open accounts in their own names through their agents, or, if they are married women, through their husbands or agents. The agent or husband will be required to sign the declaration that the depositor understands and accepts the rules.

19. When the declaration is presented, duly signed, with the amount of the first deposit, or when it has been signed by a depositor attending in person to make a deposit, the amount of the deposit will be entered in a Pass-book, which will be supplied to the depositor, and the entry will be initialled by the Postmaster and stamped with the office stamp. The depositor will be required to sign a receipt for the Pass-book.

20. If the account be opened at a Sub-Post Office, the Pass-book for the depositor will have to be obtained from the Head Office. A preliminary receipt for the amount of the first deposit will, therefore, be given to the depositor, who will be informed of the date on which he should call to receive the Pass-book. When the Pass-book is handed over to the depositor he will be required to return this preliminary receipt, and to sign an acknowledgment for the Pass-book. The amount of the original deposit will be entered in the Pass-book at the Head Office, and the depositor will therefore have a guarantee that the sum has been received in that office. He should be careful to see that the entry in the Pass-book corresponds with the amount entered in the preliminary receipt before giving up the latter.

#### PASS-BOOK AND ITS IMPORTANCE.

21. The Pass-book will show, in the vernacular of the district or in English, as the depositor may wish, the number of his account, with the name of the office from which the book is issued, his own name, occupation or profession, and address. No deposit can be made, and no money can be withdrawn, from an account without its production, and the Post Office will not be responsible for any sum not acknowledged in the Pass-book. Depositors should carefully examine their books before leaving the offices, and ascertain that the entries are correct. They should also be careful to keep their Pass-books in their own possession, as the Post Office will not be responsible for any loss caused to a depositor, if any person shall obtain possession of the book and fraudulently obtain the payment of any sum belonging to the depositor.

#### LOSS OF PASS-BOOK.

22. No charge will be made for the book at first supplied to a depositor, or for any book issued to him in continuation of the original book. But if a book be lost or spoiled, or if any account be re-opened after it has been closed, the depositor will have to pay one rupee for a fresh book.

#### MODE OF DEPOSITING MONEY AFTER AN ACCOUNT HAS BEEN OPENED.

23. A depositor may deposit money at the Post Office at which his account stands as often as he wishes, so long as the prescribed yearly limit is not exceeded. All that he is required to do is to take or send the amount to be deposited with his Pass-book to the Post Office. The amount of his deposit will be entered in the Pass-book, and the balance struck as shown below.

The entry will then be initialled by the Postmaster and stamped with the dated stamp of the office, and the Pass-book returned :—

DATE.	Dated stamp of the Post Office.	Amount of each deposit or withdrawal (to be entered in words).	Amount deposited.	Amount withdrawn.	Balance at credit of the Depositor.	Initials of the Postmaster.
			R a. p.	R a. p.	R a. p.	
3rd April 1883 . . . . .	...	Deposited ten rupees.	10 0 0	...	10 0 0	A.B.C.
15th „ „ . . . . .	...	Deposited twenty-five rupees.	25 0 0	...	35 0 0	A.B.C.
12th May „ . . . . .	...	Withdrawn three rupees.	...	3 0 0	32 0 0	A.B.C.

24. If the amount be deposited at a Sub-Post Office, the depositor will receive, in addition to the receipt in his Pass-book, an acknowledgment from the Head Office, which will generally be the office at the head-quarters station of the district. This acknowledgment will be delivered to him in ordinary course through the Post Office. If it should not reach the depositor in proper time, or if, when it reaches him, it should show any signs of erasure, or should not agree with the entry in the Pass-book, the depositor should immediately apply to the Postmaster of the Head Office, the name of which is in the Pass-book, and renew his application again and again until he receives a satisfactory reply.

#### MODE OF WITHDRAWING MONEY.

25. When a depositor wishes to withdraw money, he must present his Pass-book personally or by agent (whose name must be entered in the application for withdrawal) at the Post Office at which his account stands, with a printed form of application for withdrawal, which can be obtained at the Post Office, signed by himself and showing the balance at his credit and the amount which he wishes to withdraw. If he is unable to write, he must attend personally and affix his mark or seal to the application, to be attested by the signature of a witness. Should he be absolutely unable to attend personally, he must have his mark or seal affixed to the application and attested by some respectable witness, and the Postmaster will make payment to the person presenting this application with the Pass-book, after satisfying himself, by such enquiry as he may think proper, of the inability of the depositor to attend and of the genuine character of the application.

26. The amount to be withdrawn will be entered in the Pass-book and a fresh balance struck, as in the case of a deposit, under the initials of the Postmaster and the dated stamp of the office. The amount will then be paid to the depositor or to the person presenting the Pass-book and application, and his receipt taken, in all cases without a receipt stamp, on the Warrant of Payment.

27. If the amount be withdrawn at a Sub-Post Office, payment cannot be made until a Warrant of Payment is received from the Head Office\*. The depositor, therefore, or other person presenting the Pass-book and application, will be informed of the date on which he should come to the Post Office to receive payment, and will have the Pass-book returned to him. On presentation of the Pass-book on that date, or any subsequent date after the arrival of the Warrant of Payment, the amount will be paid to the depositor, or other person presenting the Pass-book, and his receipt taken, in all cases without a receipt stamp, upon the Warrant. The necessary entries will then be made in the Pass-book, under the initials of the Sub-Postmaster and attested by the stamp of the office.

#### INTEREST.

28. Interest will be allowed at the rate of  $3\frac{1}{2}$  per cent. per annum, until further orders on all deposits, subject to the conditions of this rule. This interest will be allowed for each calendar month on the lowest balance at credit of an account between the close of the fourth day and the end of the month: provided that interest shall only be calculated at the rate of three pias a month on every complete sum of five rupees: provided also that no higher monthly interest than Rs 9-6 shall be allowed on the balance of any account, except as provided for under Rules 8, 9, and 11.

29. The interest calculated as above for each month will be added to the balance of each account after the 31st of March of each year. Depositors will be called upon to present their Pass-books in order that the necessary entries may be made in them. If the Pass-book be not presented for this purpose, in response to the notice sent by the Post Office to the depositor, the entry will be made on the next occasion when a deposit is made or when money is withdrawn.

NOTE.—Pass-books of depositors in Sub-Post Offices will be sent to the Head office for the purpose of adding interest under this rule.

#### TRANSFER OF ACCOUNTS.

30. A depositor may have his account transferred free of charge to any Post Office that is a Savings Bank, *provided that the account shall have been in existence for three months previous to the transfer.* If he should wish to transfer his account, he must present his Pass-book at the Post Office personally, or send it with a written application for transfer. The Pass-book will be retained by the Postmaster, and a certificate given to him showing the amount at his credit. On presenting this at the Post Office to which his account has been transferred, he will receive back his Pass-book. A depositor in a Presidency Savings Bank may, by application to the Presidency Savings Bank, have his account transferred, free of charge, to any Post Office Savings Bank.

\* NOTE.—Except in the case of certain selected Sub-Offices which are authorised to grant Warrant of Payments.



## CLOSING AN ACCOUNT.

31. When a depositor wishes to close his account, he must present his Pass-book with a form of Application for Withdrawal of the net amount at his credit. The amount of interest due on his account up to the end of the calendar month preceding the date of presentation will be entered in the Pass-book, and a final balance struck. The amount will then be paid to the depositor, and his receipt taken on the Warrant of Payment. The Pass-book will be retained in the Post Office. If the application for closing an account be presented at a Sub-Office, the same procedure will be followed as in the case of an ordinary withdrawal, except that the Pass-book will be retained.

32. If an account be closed under the orders of the Comptroller, Post Office, notice in writing will be sent to the depositor, requiring him to present his Pass-book and receive payment of his balance at his credit as soon as convenient. After the date of such notice, no deposit will be accepted on the account so closed, and no interest will be allowed upon the balance after the end of the calendar month preceding such date.

## RE-OPENING AN ACCOUNT.

33. A depositor who has once closed an account cannot open another account until after the expiration of three months from the date of closure, without the permission of the Comptroller, Post Office; and a depositor whose account has been closed by order cannot open a fresh account in any case without the permission of the Comptroller, Post Office.

## POWERS OF POSTMASTER GENERAL IN CERTAIN SPECIAL CASES.

34. If a depositor should die, leaving in a Post Office Savings Bank a sum of money not exceeding one thousand rupees, and if probate of his will or letter of administration of his estate, or a certificate granted under Act No. XXVII of 1860 be not produced to the Postmaster General within three months of the death of the said depositor, the Postmaster General may pay the said sum of money to any person appearing to him to be entitled to receive it, or to administer the estate of the deceased.

Balances in excess of Rs. 1,000 may be paid on production of probate, letters of administration or a certificate under Act XXVII of 1860 unless otherwise ordered by the Director General of the Post Office who has discretionary power to dispense with such evidence in cases where he is of opinion that to require it would cause hardship and that to dispense with it would involve no appreciable risk.

35. If any depositor become insane, or otherwise incapable of managing his affairs, and if such insanity or incapacity be proved to the satisfaction of the Postmaster General, then the Postmaster General may, from time to time, make payment out of the deposits to any proper person.

## PURCHASE, SALE, AND CUSTODY OF GOVERNMENT SECURITIES.

*Purchase of Government Securities.*

36. Any *bond fide* depositor may invest the amount of his balance or a portion of it in Government Securities through the Post Office. Any such depositor may also purchase through the Post Office Government Securities not exceeding in nominal value Rs. 1,000 in one year and Rs. 3,000 in all by tendering in cash the amount necessary to complete the purchase. A written application should be presented together with his Pass-book by a depositor desiring to make an investment under this rule. The application will be forwarded to the Comptroller, Post Office, who will take the necessary steps for making the purchase through the Comptroller General.

(a) The paper purchased will be of the 4 per cent. loans, unless  $4\frac{1}{2}$  per cent. paper is specially applied for.

(b) The investor may also specially apply that the paper remain in the custody of the Comptroller General. In this case the Comptroller General will, if necessary, transfer the paper to the 4 per cent. loan of 1865. The investor may at any time apply through the local Post Office for the delivery to him of paper thus held by the Comptroller General. If application is not made under this clause, the paper purchased by the Comptroller General will be enfaced for payment of interest at the local Treasury and forwarded to the Post Office for delivery to the investor.

## SALE OF GOVERNMENT SECURITIES.

37. Any depositor may apply for the sale through the Post Office of Government Securities which have been purchased for him through the Post Office whether held by himself or held for him by the Comptroller General. If the securities are presented with the application, they must be endorsed in favour of the Comptroller General.

## SAFE CUSTODY OF GOVERNMENT SECURITIES.

38. A depositor may tender at a Post Office Savings Bank Government Securities for safe custody by the Comptroller General. The amount so tendered must not exceed in nominal value Rs. 1,000 in any year or Rs. 3,000 in all. The securities so tendered must be endorsed to the Comptroller General.

## INTEREST ON GOVERNMENT SECURITIES.

39. So long as the Government Securities remain in the custody of the Comptroller General, interest, when due, will be drawn and advised to the local Post Office Savings Bank through the Comptroller, Post Office, for credit to the depositor's account.

## FEES.

40. The following fees will be charged :—

On purchase : 4 annas per cent.

On realization and remittance of interest : 4 annas per cent. on the amount of the interest.

On delivery out of custody : 4 annas per cent., unless the application for delivery is made within a year of the purchase.

On sales : 4 annas per cent., and any actual outlay upon brokerage.

ORDERED, that this Resolution be communicated to the Director General of the Post Office with reference to his letter No.  $\frac{S. B.}{1}$  dated 27th February 1886, and to the Comptroller and Auditor General.

Ordered also, that this Resolution be published for general information in the *Gazette of India*.

## LEAVE AND APPOINTMENTS.

*The 9th March 1886.*

No. 1129.—The following reversions of officers of the Account Department, in February 1886, are hereby notified :—

With effect from the 18th February 1886, in consequence of the return from privilege leave of Mr. M. Oung—

Mr. R. C. Chapman to revert to his substantive appointment as Enrolled Officer, Class VI.

Babu Manmatha Nath Bhattacharjya to revert to his substantive appointment as Probationer, Class VII.

With effect from the 23rd February 1886, in consequence of the return from leave on medical certificate of Mr. H. G. H. Keene—

Mr. C. G. Vansittart to revert to his substantive appointment as Enrolled Officer, Class VI.

*The 12th March 1886.*

No. 1211.—Mr. H. E. M. James, Deputy Director General of the Post Office of India, having been granted furlough out of India for 12 months, and Mr. P. Sheridan having been appointed to officiate for him, Mr. James made over, and Mr. Sheridan received, charge of the said appointment, after noon, on the 9th March 1886.

Mr. G. J. Hynes, having been appointed to officiate as Assistant Director General of the Post Office of India, *vice* Mr. P. Sheridan, appointed to officiate as Deputy Director General, Mr. Sheridan made over, and Mr. Hynes received, charge of the said appointment, after noon, on the 9th March 1886.

No. 1212.—Mr. F. W. Peterson, Deputy Assay Master, Calcutta Mint, having been granted furlough out of India for one year, made over charge of his duties, after noon, on the 9th March 1886.

## PENSIONS, &amp;c.

FUNDS, &c.

*The 12th March 1886.*

No. 1218.—The Governor-General in Council is pleased, under the provisions of 45 and 46 Victoria, Chapter 45, to notify that the Trustees of the Madras Civil Fund have transferred the assets and liabilities of the said fund to the Secretary of State for India in Council, with effect from the 15th February 1886, and that the

Secretary of State for India in Council has accepted the said transfer.

No. 1219.—With reference to Notification No. 1218, dated the 12th March 1886, the Governor-General in Council is pleased to notify that the Secretary of State for India in Council has directed that all notifications and applications on the part of subscribers to, or beneficiaries under, the Madras Civil Fund, which are required or prescribed by the rules of the said fund, as existing on the 1st May 1863, shall, on and after the 15th February 1886, be given and made by subscribers or annuitants in England to the Director of Funds at the India Office, and by subscribers or annuitants in India to the Comptroller of India Treasuries.

## SEPARATE REVENUE.

ASSESSED TAXES.

INCOME TAX.

*The 10th March 1886.*

No. 1138.—In exercise of the powers conferred by Section 38 of Act II of 1886, the Governor-General in Council is pleased to rule that the General Family Pension Fund shall be deemed to be a "Service Fund" within the meaning of Rule 13 of the Notification of the Government of India, Department of Finance and Commerce, No. 593, dated the 5th February 1886.

D. BARBOUR,

*Secretary to the Government of India.*

## MILITARY DEPARTMENT.

## APPOINTMENTS.

*Fort William, the 12th March, 1886.*

No. 149.—BRIGADE STAFF—

Colonel Sir J. Hudson, K.C.B., Bengal S. C., to the Brigade Staff of the Army, with the rank of Brigadier-General, *vice* Major-General R. S. Hill, C.B., who vacates his command on promotion. Dated 23rd February, 1886.

Colonel H. M. Wemyss, C.B., Bengal S. C., Commandant, 31st Bengal Infantry, to the Brigade Staff of the Army, temporarily, with the rank of Brigadier-General, *vice* Brigadier-General Sir J. Hudson, K.C.B., on furlough. Dated 23rd February, 1886.



**No. 150.—NATIVE ARMY—***17th Bengal Cavalry.*

The following direct appointment is made, with effect from the 13th February, 1886:—

Muhammad Husain Khan, to be Jemadar.

**No. 151.—ORDNANCE DEPARTMENT—**

The tenure of the appointment of Superintendent of Factories by Major C. H. Scott, R.A., is extended to the 9th November, 1888.

**No. 152.—PERSONAL STAFF—**

The following appointments have been made on the Personal Staff of His Excellency the Commander-in-Chief in India, with effect from the 28th November, 1885:—

Lieutenant-Colonel R. Pole-Carew, Coldstream Guards, to be Military Secretary.

Major N. F. FitzG. Chamberlain, Bengal S. C., Squadron Commander, 2nd Regiment, Central India Horse, to be Persian Interpreter.

Captain R. Owen, 21st Hussars,	} To be Aides-de- Camp.
Lieutenant J. G. Turner, Bengal S. C., Squadron Officer, 19th Bengal Lancers.	
Lieutenant C. V. Hume, R. A.,	

**No. 153.—STAFF CORPS—**

The undermentioned officers are admitted to the Bengal Staff Corps, with effect from the dates specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Harry Troup Brown, Royal Warwickshire Regiment, Wing Officer, 42nd Bengal Infantry,—29th November, 1883.

Lieutenant Frank Duncan, Somersetshire Light Infantry, Officiating Wing Officer, 23rd Bengal Infantry,—16th November, 1884.

**No. 154.—VOLUNTEER CORPS—***Central Bengal Light Horse.*

Mr. Archibald Hills to be Honorary Major.

*Cossipore Artillery Volunteers, B. Battery.*

The Reverend G. G. Gillan, to be Honorary Chaplain.

**DISMISSALS AND REMOVALS.**

**No. 155.**—Sub-Conductor Robert Wilson, Miscellaneous List, is remanded to regimental duty in the regimental rank held by him immediately previous to his appointment to the Warrent grade.

**FURLOUGH AND LEAVE.**

**No. 156.**—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave:—

Brigadier-General Sir J. Hudson, K.C.B., Bengal S. C., (m. c.), from Suakin, for 182 days, under Article 814, Army Regulations, India, Volume I, Part I. (This cancels the furlough granted him in G. G. O. No. 60 of 1886).

Colonel B. Walton, C.I.E., Bengal S. C., Superintendent and Agent for Army Clothing, Bengal, (p. a.) for one year, under rule IX of the regulations of 1868.

Colonel T. J. Watson, Bengal S. C., (u. p. a.) for 182 days, under rule XI of the regulations of 1868.

Major S. D. Turnbull, Bengal S. C., Squadron Commander, 15th Bengal Cavalry, Sub-Assistant Commissary-General for Transport, 1st class, (p. a.) for one year, under rule IX of the regulations of 1868.

Captain F. N. Maude, R.E., Assistant Engineer, 1st grade, Military Works Department, (m. c.) for 276 days, under rule IX, note 2, of the regulations of 1868.

Captain H. C. Lamb, Bengal S. C., Squadron Commander, 4th Bengal Cavalry, (p. a.) for one year and 229 days, under rule IX of the regulations of 1868.

Captain W. F. Montresor, Bengal S. C., Squadron Commander, 17th Bengal Cavalry, (m. c.) for one year,—181 days under rule I, and the remaining period under rule VI of the regulations of 1875.

Surgeon-Major D. O'C. Raye, M.D., Professor of Anatomy, Calcutta Medical College, and *ex-officio* Second Surgeon to the College Hospital, (m. c.) for 225 days, under rule XIV, clause 2, of the regulations of 1868.

**No. 157.**—Captain J. C. Shirres, R.A., Commandant, No. 1 (Kohat) Mountain Battery, Punjab Frontier Force, is granted furlough in and out of India, (p. a.) for two years, under rule IX of the regulations of 1868, with effect from date of quitting station.

**No. 158.**—Major D. H. Robertson, General List, Infantry, is granted furlough for the 1st December, 1885, in extension of that allowed in G. G. O. No. 246 of 1885.

**No. 159.**—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India:—

Captain A. W. Brooke, Bengal S. C., (m. c.) for six months.

Captain W. H. Jameson, Bengal S. C., (m. c.) for six months.

Captain J. A. H. Pollock, Bengal S. C., (p. a.) for 183 days.

Captain J. Burn-Murdoch, R.E., (p. a.) for 183 days.

Lieutenant N. A. K. Burne, Bengal S. C., (m. c.) for three months.

Brigade-Surgeon H. Cayley, (m. c.) for six months.

Sub-Conductor P. Collins, Military Works Department, (m. c.) for six months.

Sub-Conductor J. Shaw, Military Works Department, (m. c.) for six months.

## LONDON GAZETTE.

No. 160.—The following extracts are published for general information:—

"London Gazette," dated the 5th February, 1886, page 561.

INDIA OFFICE, 5TH FEBRUARY, 1886.

The Queen has approved of the following admissions to the Staff Corps made by the Governments in India:—

## BENGAL STAFF CORPS.

*To be Lieutenants.*

Lieutenant Edward de Sausmarez Smart, from the Middlesex Regiment. Dated 3rd May, 1883, but to rank from 1st July, 1881.

Lieutenant Rollo Estouteville Grimston, from the Loyal North Lancashire Regiment. Dated 7th March, 1883, but to rank from 1st July, 1881.

Lieutenant Clarence Yule Crommelin, from the West Riding Regiment. Dated 24th July, 1884, but to rank from 22nd October, 1881.

Lieutenant Charles Cheyne, from the West Yorkshire Regiment. Dated 23rd September, 1884, but to rank from 10th May, 1882.

Lieutenant Charles William O'Bryen, from the Cheshire Regiment. Dated 20th August, 1884, but to rank from 9th September, 1882.

"London Gazette," dated the 9th February, 1886, page 620.

WAR OFFICE, FEBRUARY 2, 1886.

The Queen has been pleased to give orders for the following promotions in and appointments to the Most Honourable Order of the Bath:

\* \* \* \*

To be Ordinary Members of the Civil Division of the Third Class, or Companions of the said Most Honourable Order, *viz.*:—

\* \* \* \*

Colonel Charles Edward Stewart, C.M.G., C.I.E., Bengal Staff Corps, for services on the Afghan Frontier.

\* \* \* \*

## PROMOTIONS.

No. 161.—The following promotions are made, subject to Her Majesty's approval:—

*To be Colonels in the Army.*

Lieutenant-Colonel Alfred Bloomfield, Bengal S. C.,—7th March, 1886.

## PROMOTIONS.

No. 168.—The following promotions are made in the Engineer Establishment, with effect from the 28th October, 1885:—

NAME.	From	To	Nature of promotion.
Lieutenant E. H. Hemming, R.E.	Asst. Engr., 2nd grade . . .	Asst. Engr., 1st grade . . .	Permanent.
Lieutenant H. G. Harvey, R.E.	Asst. Engr., 2nd grade . . .	Asst. Engr., 1st grade . . .	Sub. <i>pro tem.</i>

Lieutenant-Colonel John Gilbert Erskine Griffith, Bombay S. C.,—9th March, 1886.

## No. 162.—NATIVE ARMY—

*17th Bengal Cavalry.*

Ressaidar Izzat Khan, from the 6th Bengal Cavalry, to be Ressaldar.

With effect from the 5th December, 1885.

## No. 163.—PUNJAB FRONTIER FORCE—

*1st Punjab Cavalry.*

Kote-Duffadar Ghulam Jelani to be Jemadar, *vice* Jemadar Kurm Khan, transferred to 17th Bengal Cavalry.

With effect from 8th September, 1885.

## No. 164.—VOLUNTEER CORPS—

*Rohilkand Volunteer Rifle Corps.*

Mr. C. W. P. Watts, C.S., to be Lieutenant.

## RETIREMENTS.

No. 165.—Captain Robert Henry Forrest, Bengal S. C., half-pay list, has been permitted to retire from the service, with effect from the 24th March, 1886, subject to Her Majesty's approval.

## VOLUNTEER CORPS.

No. 166.—In modification of G. G. O. No. 609 of 1880, it is notified that the Berar Volunteer Rifle Corps will be attached to the Nagpur Volunteer Rifle Corps for administrative purposes.

## MILITARY WORKS DEPARTMENT.

No. 167.—Captain J. G. Lutyens, R.E., Assistant Engineer, 1st grade, is removed from the establishment of the Military Works Department, with effect from the 19th February, 1886. Pending further orders he will be attached to that Department under Section 7, paragraph 236E, of the Bengal Army Regulations.



No. 169.—The following temporary promotions and reversions are ordered in the Engineer Establishment, with effect from the dates specified:—

NAME.	From	To	Date.
Captain T. Digby, R.E.	Tempy. Exe. Engr., 4th grade	Asst. Engr., 1st grade	10th October, 1885.
Captain T. Digby, R.E.	Asst. Engr., 1st grade	Tempy. Exe. Engr., 4th grade	28th October, 1885.
Captain F. Peel, R.E.	Asst. Engr., 1st grade	Tempy. Exe. Engr., 4th grade	31st October, 1885.
Captain F. Peel, R.E.	Tempy. Exe. Engr., 4th grade	Asst. Engr., 1st grade	2nd November, 1885.
Captain F. Peel, R.E.	Asst. Engr., 1st grade	Tempy. Exe. Engr., 4th grade	1st December, 1885.

O. R. NEWMARCH, *Colonel*,

*Offg. Secretary to the Government of India.*

### MILITARY DEPARTMENT.

#### NOTIFICATION.

*Calcutta, the 12th March, 1886.*

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the undermentioned Commissioned Officer, on the date specified, was received in the Military Department between the 6th and the 12th March, 1886.

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Royal Sussex Regiment	Captain C. H. Woodhouse	4th March, 1886	Rawal Pindi.		

#### *Statement of Deposits on account of Estates between the 23rd January and the 12th March, 1886.*

On whose account.	Rank.	Corps.		Testate or Intestate.	Total unclaimed amount deposited.	Amount paid in India.	Date to which claims will be received.
Eugene Henry Nicholson.	Riding-Master.	3rd Dragoon Guards.	Insane	...	R. a. p. 552 11 1		

O. R. NEWMARCH, *Colonel*,

*Offg. Secretary to the Government of India.*

### PUBLIC WORKS DEPARTMENT.

#### NOTIFICATIONS.

*Fort William, the 8th March 1886.*

No. 60.—The following officers are promoted from Class III to Class II of the Superior Revenue Establishment of State Railways, Locomotive Department, with effect from the 1st January 1886:—

Mr. C. E. Cardew.  
Mr. G. B. Reynolds.  
Mr. G. Winmill.  
Mr. F. J. Ivens.  
Mr. H. M. Cardew.  
Mr. F. Goodwin.

*The 9th March 1886.*

No. 61.—The services of Lieutenant-Colonel A. J. Filgate, R.E., Accountant General, and Deputy Secretary to the Government of India in the Public Works Department, are placed temporarily at the disposal of the Department of Finance and Commerce, with effect from such date as his services may be required.

Major A. G. Begbie, R.E., Deputy Accountant General and *ex-officio* Under-Secretary to the Government of India, in the Public Works Department, is appointed to officiate as Accountant General, and Deputy Secretary to the Government of India in the Public Works Department, *vice* Lieutenant-Colonel A. J. Filgate, R.E.

Mr. R. G. Macdonald, Inspector of Public Works Accounts, is appointed to officiate as Deputy Accountant General, and *ex-officio* Under-Secretary to the Government of India, in the Public Works Department, *vice* Major A. G. Begbie, R.E.

**No. 62.**—The services of Colonel D. Limond, C.B., R.E., Chief Engineer, 1st Class, and Secretary to the Government of the Punjab in the Public Works Department, are placed at the disposal of the Military Department with effect from the afternoon of the 6th March 1886, on which date he made over temporary charge of his office to Mr. E. E. Oliver, Assistant to Chief Engineer and Under-Secretary to Government of Punjab, Public Works Department.

*The 10th March 1886.*

**No. 63.**—Mr. C. W. Odling, Executive Engineer, 1st grade, is appointed to officiate as a Superintending Engineer in Bengal, with *temporary rank*, in the 3rd class.

*The 12th March 1886.*

**No. 64.**—Colonel A. Perkins, C.B., R.E., Aide-de-camp to the Queen, Chief Engineer and Secretary to the Chief Commissioner of the Central Provinces, in the Public Works Department, is appointed Chief Engineer and Secretary to the Government of the Punjab in the Public Works Department, *vice* Colonel D. Limond, C.B., R.E., retired.

W. S. TREVOR, Colonel, R.E.,  
*Secretary to the Government of India.*





# The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 12. } CALCUTTA, SATURDAY, MARCH 20, 1886.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Department, Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Superintendent of Government Printing, and other Government Officers; Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Births, Deaths, and Marriages Registration Act, 1886.

An Act to amend the Indian Registration Act, 1877.

An Act to amend sections 12 and 13 of the Bengal Tenancy Act, 1885.

An Act to apply the Chutia Nagpur Encumbered Estates Act, 1876, to the Deo Estate in the Gaya District.

An Act to amend the Code of Criminal Procedure, 1882, and certain other Acts.

The Indian Tramways Act, 1886.

The Petroleum Act, 1886.

The Indian Securities Act, 1886.

PART V.—Bills introduced into the Council of the Governor General for making Laws and Regulations or published under Rule 22:—

The Guardians and Wards Bill, 1886.

SUPPLEMENT No. 12.

## PART I.

Government of India Notifications, Appointments, Promotions, &c.

### REVENUE AND AGRICULTURAL DEPARTMENT.

#### NOTIFICATIONS.—EMIGRATION.

*Calcutta, the 18th March 1886.*

#### No. 94 E.

#### Rules relating to Colonial Emigration under the Provisions of Act XXI of 1883.

#### CHAPTER I.

##### GENERAL RULES.

IN exercise of the powers conferred by section 80 of the Indian Emigration Act, 1883, the Governor General in Council is pleased to make the following rules to regulate the engagement and transport of emigrants and dependents, as defined in the said Act, to the colonies authorized to import Indian labour:—

##### Introduction.

1. The schedules and forms attached to these rules are prescribed for the several purposes specified in the heading of each, and shall be taken as part of the rules.

2. The same provision in every respect shall be made for the welfare of dependents of emigrants as for that of the emigrants themselves: and all rules regulating the treatment and transport of emigrants shall be applicable to their dependents also.

3. Correspondence with a local Government, in connection with emigration matters, shall ordinarily be conducted through the Protector of Emigrants appointed by that Government, or through such other channel as that Government may prescribe in that behalf.

4. A return, showing the number and description of emigrants and their dependents embarked for the colonies during each month at each port, shall be submitted by the Protector of Emigrants to the local Government concerned within the month following that for which the return is due.

Submission of annual reports. 5. The submission of annual reports by emigration officers shall be regulated as follows:—

(a)—Every Medical Inspector of Emigrants shall forward his report to the Protector of Emigrants within two months of the expiry of the year to which the report relates. The report shall treat of the following points, namely—the condition of the depôts; the state of health of the emigrants accommodated therein; the sufficiency of hospital and other medical arrangements; the cause of any epidemic disease; and the precautionary measures adopted against its spread.

(d)—Every Protector of Emigrants shall, not later than six months after the close of each calendar year, submit to the local Government his report for that year. The report shall review the history of emigration during the year, noticing all points of importance; and shall furnish such particulars as may from time to time be required by the local Government.

## CHAPTER II.

## RECRUITMENT.

*Section I.—Recruiting licenses.*

6. Every Emigration Agent, desiring to obtain a license (Form No. 1) for any intending recruiter, shall forward an application on his behalf to the Protector of Emigrants concerned, and shall send therewith a certificate of good character in Form No. 2, obtained from the Magistrate of the district, or Commissioner or Deputy Commissioner of Police of the Presidency or town of which the intending recruiter is a native or resident of long standing. The license of a recruiter who shall have recruited labourers in any district shall not be countersigned under section 23 (2) of the Act by the Magistrate of any other district, unless such license shall have been endorsed by the Magistrate of the district in which such recruiter shall have previously recruited labourers with a certificate to the effect that the operations of the license-holder have been conducted in a satisfactory manner.

COLONIAL EMIGRATION FORM No. 1.

### FORM OF RECRUITER'S LICENSE.

No.                      Office of the Protector of Emigrants at the Port of

in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1883, to be a recruiter of emigrants for [here state the country for which the recruiter is licensed to recruit] in [here specify the local area within which the recruiter is licensed to recruit].

This license will be in force until the \_\_\_\_\_ of \_\_\_\_\_, unless previously cancelled.

*Dated the      day of*

*Protector of Emigrants.*

*Descriptive Roll.*

[illegible]



Descriptive particulars of \_\_\_\_\_, intending recruiter.

## MEMO.

THE undersigned requests that the Magistrate will grant the above certificate to , if satisfied as to his identity.

DATED AT

The

188 .

Emigration Agent for

8. If an Emigration Agent desires a license for any recruiter of another agency, whose services are no longer required by that agency, he shall forward to the Protector of Emigrants, with his application for the license, the unexpired license of the recruiter, with an endorsement thereon by the Agent of the other agency to the effect that the services of the recruiter are no longer required by him.

8A. All Emigration Agents shall without delay intimate to the Protector, for the information of Government, any changes which they may be authorized by the Colonial Governments to make in the terms offered to intending emigrants.

Section 2.—Sub-depôts.

Definition of sub-depôt.

9. The places of accommodation provided for intending emigrants or emigrants by recruiters shall, for the purposes of these rules, be called sub-depôts.

10. The accommodation provided in sub-depôts shall be considered sufficient if the emigrants are kept in such manner as would be considered comfortable by persons of their condition in the district where they are recruited. The following points shall however invariably be insisted on :—

Sub-depôt requirements.

- (a)—Perfect cleanliness, both of the premises and of the inmates.
- (b)—Sufficiency of accommodation for the largest number of persons likely to be located in the sub-depôt at one time.
- (c)—A plentiful supply of good water within a reasonable distance.
- (d)—Proper conveniences for purposes of nature and for bathing; and, when rendered necessary by the number of persons likely to be received, suitable latrine accommodation.
- (e)—Proper arrangements for the exclusion from the depôt of all contagious diseases, for the report to the medical authorities of the district of any cases of contagious diseases occurring within the sub-depôt, and for the prevention of the spread of such diseases should cases occur.
- (f)—The exclusion of all women, who are not intending emigrants or emigrants, from the sub-depôt premises, without special permission of the District Magistrate.
- (g)—The exclusion of *parda-nashin* women from the sub-depôt premises under all circumstances.
- (h)—The provision of accommodation for single women and married couples, apart from that for single men.
- (i)—The keeping by the person in charge of the sub-depôt of an inspection book in which inspecting officers may write their remarks; and its readiness for production whenever required.
- (j)—The entry in the inspection book by that person of a list of his servants and of all changes which may from time to time require to be made in such list, and the exclusion from the sub-depôt of all persons other than the servants so entered, emigrants, intending emigrants, and persons entitled by law to demand admittance.

11. All District Magistrates and Magistrates in charge of sub-divisions shall at least once in every month visit and inspect all sub-depôts situated at the head-quarters of their respective jurisdictions, or shall cause such depôts to be inspected at least once in every month by a Magistrate subordinate to them, or by an officer of police of rank not lower than that of an Assistant District Superintendent. In the town of Madras the Commissioner of Police shall cause such depôts to be inspected at least once in every week by an Inspector of Police. On the occasion of such inspections special attention should be directed to the points mentioned in Rule 10 and to the health and general well-being of the inmates of the sub-depôt. Such visits should take place without notice and at irregular intervals.

Inspection of sub-depôts.

12. The power which may be conferred on an officer of police under section 27, sub-section (3), of the Act may be exercised by a District Superintendent of Police or by an Assistant Superintendent of Police, but by no other officer of police.

Exercise of power conferred on officer of Police.

Section 3.—Registration.

13. Every registering officer shall keep a register in Form No. 4 for the registration of intending emigrants.

Register for registrations.



## COLONIAL EMIGRATION FORM No. 4.

Register of Emigrants recruited in the District of \_\_\_\_\_ during the year 18 \_\_\_\_.

Recruited by _____		License No. _____		for the Colony of _____																	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Serial No. of presentation.	Registration.		Emigrants.		Dependents.		Sex.	Age.	Caste.	Occupation.	Residence.			Successor to Estate in India.			Colonial Address.				REMARKS.
	Date.	Serial No.	Name.	Father's name.	Name.	Relationship to labourers.					District.	Thana.	Village or town and mahalla.	Name.	Father's name.	Relationship.	Serial Number in nominal roll (list).	Name of ship.	Year in which sailed.	Colony.	

Correct and legible entries in register.

Affixing of serial number to all entries.

3 shall be affixed only to the entries of persons actually registered.

Examination of emigrants to be registered.

points set forth in sections 31—33 of the Act.

Entries of particulars of registered emigrants.

himself, or by a member of his office establishment, and the work shall not be made over to the recruiter or to any other person.

Entries of dependents of registered emigrants.

Procedure on disacknowledgment of any next-of-kin.

for successor to estate in India, a note explaining the matter being made in the "remarks" column.

Registration of postponement cases.

21. Emigrants registered on behalf of any agency, but not required owing to recruiting operations having been closed for the time being or other cause, may be transferred to the recruiters of other colonial agencies for re-registration; provided that the emigrants consent to the transfer, after being given to understand that, if unwilling to be transferred, they are entitled at their option to be discharged, or to be returned to the districts of registration.

Transfer of unrequired emigrants by re-registration.

22. If any emigrant be transferred in the district of original registration, such transfer shall be entered in the column for remarks against the name of such emigrant. If any emigrant be transferred elsewhere than in the district of original registration, the particulars of such transfer shall be forwarded by the officer finally registering such emigrant to the officer who originally registered such emigrant through intermediate registering officers, if any.

Entries of transfer particulars.

23. Clerks in charge of registration work may receive remuneration at rates fixed by the Local Government.

Remuneration of registering clerks.

Execution of agreement.

Careful preparation of agreement, as the original register.

Supply of forms of agreement.

26. The agreement for execution by intending emigrants shall be in Form No. 5, and the requisite supply of these forms shall be provided by Emigration Agents, when emigrants are taken before registering officers for registration and for the execution of their agreements. The forms shall be printed correctly and clearly, and on substantial paper; and registering officers shall refuse to fill up forms which do not accord with these conditions.

14. Particular care shall be taken that the writing in the register is very legible, and that vernacular names are correctly transliterated.

15. The serial number in column 1 of the form shall be affixed to all entries of persons presented for registration in the order of such presentation. The serial number in column 3 shall be affixed only to the entries of persons actually registered.

16. Every registering officer, before whom any person is brought for registration as an intending emigrant, or as the dependent of such emigrant, shall, apart from the recruiter or other person interested in having the registration executed, examine such person on the points set forth in sections 31—33 of the Act.

17. As each person brought to be registered by the recruiter is examined and passed for registration by the registering officer under section 31, the particulars regarding such person shall be entered in columns 1 to 17 inclusive of the register by the registering officer himself, or by a member of his office establishment, and the work shall not be made over to the recruiter or to any other person.

18. If an intending emigrant has dependents, particulars as to their names, age, and relationship to the emigrant, shall be entered in the appropriate columns of the register separately and immediately following the entries regarding the emigrant on whom they are dependent.

19. If an intending emigrant states that he has no next-of-kin in India, an endeavour may be made to obtain the name of some respectable man in his native village, such as the headman or chief raiyat; and such name may be entered in the register under the column for successor to estate in India, a note explaining the matter being made in the "remarks" column.

20. If, in a case in which registration has been postponed under section 32 (2) of the Act, the registering officer subsequently decides to register the woman, she shall be treated as a freshly brought up intending emigrant, and particulars regarding her shall be entered in the Register of Emigrants.

21. Emigrants registered on behalf of any agency, but not required owing to recruiting operations having been closed for the time being or other cause, may be transferred to the recruiters of other colonial agencies for re-registration; provided that the emigrants consent to the transfer, after being given to understand that, if unwilling to be transferred, they are entitled at their option to be discharged, or to be returned to the districts of registration.

22. If any emigrant be transferred in the district of original registration, such transfer shall be entered in the column for remarks against the name of such emigrant. If any emigrant be transferred elsewhere than in the district of original registration, the particulars of such transfer shall be forwarded by the officer finally registering such emigrant to the officer who originally registered such emigrant through intermediate registering officers, if any.

23. Clerks in charge of registration work may receive remuneration at rates fixed by the Local Government.

#### Section IV.—Agreements.

24. After the register has been filled up and signed, the agreement forms shall be filled up and signed, in triplicate, under section 35.

25. The agreement form shall be filled up with as much care, as regards accuracy of spelling and legibility of writing,

26. The agreement for execution by intending emigrants shall be in Form No. 5, and the requisite supply of these forms shall be provided by Emigration Agents, when emigrants are taken before registering officers for registration and for the execution of their agreements. The forms shall be printed correctly and clearly, and on substantial paper; and registering officers shall refuse to fill up forms which do not accord with these conditions.





*Conditions of Service.*

Period of service.	Nature of labour.	Number of days on which the emigrant is required to labour in each week.	Number of hours in each day during which he is required to labour without extra remuneration.	Monthly or daily wages, or task-work rates.	Conditions as to return passage.	Other conditions, if any.

I agree to accept the person named on the face of this form as an emigrant on the above conditions.

*for Recruiter,*

In my presence  
*Registering Officer*  
*at*

*Dated*

*N.B.*—The above conditions to be printed in English and in the Vernacular language or languages specified in Rule 28 for the province.



27. The copy of the particulars registered concerning the intending emigrant and depend-  
Entries of registration particulars in English. ents, if any, under section 31 (*see* section 36) and printed on the face of the agreement form, shall be in English.

28. In the copy of the agreement given to the emigrant, the conditions of service printed  
Entry of conditions of agreement in best understood language. on the reverse (*see* section 36) shall be in English, and among those prescribed below for each province, in the language, if any, which is best understood by the emigrant.

For Lower Provinces of Bengal	in Bengali or Hindi.
„ North-Western Provinces and Oudh	in Hindi and Urdu.
„ Punjab	in Urdu.
„ Central Provinces	in Hindi and Mahrathi.
„ Bombay	in Mahrathi.
„ Madras	in Tamil, Telugu or Malayalam.

29. When a dependent is registered, no agreement shall be required from him. A copy,  
Non-requirement of agreement from dependent. however, of the particulars entered in the register regarding such dependent (*see* rule 18) shall be included in the copies of the agreement intended for the Protector and Emigration Agent; and shall also be entered in the copy of agreement given to the emigrant himself.  
(*See* section 37.)

Disposal of copy of agreement of embarked emigrants.

30. At the time of embarkation, each emigrant shall present his copy of the agreement to the Emigration Agent for inspection.

31. If any emigrant shall, after registration, fail to embark, the Protector of Emigrants  
Notice regarding non-embarked emigrants. shall notify the fact and the cause of non-embarkation to the Magistrate of the district of registration within six months of its occurrence.

32. The Magistrate of the district on receiving information under the preceding rule  
Disposal of notice received under rule 31 by Magistrate of district of registration. of the non-embarkation of an emigrant, shall cause the particulars therein furnished to be entered in column 22 of the Register of Emigrants in which the emigrant was registered.

33. Within six months after embarkation the Protector of Emigrants shall furnish to  
Protector to furnish Magistrate of district of registration with particulars of emigrants embarked within six months after embarkation. the Magistrate of the district of registration the particulars of emigrants embarked, in order that those particulars may be noted by the registering officer concerned in columns 18—21 of Colonial Emigration Form 4.

34. The returns A and B shewing the monthly registration of emigrants and the receipts and expenditure under Act XXI of 1883 shall be regularly forwarded by District Magistrates or Registering officers to the Protector of Emigrants, concerned.

## A.

Statement shewing number and particulars of Emigrants registered in the district of \_\_\_\_\_  
for Colonial Emigration Agencies under Act XXI of 1883, during the month of \_\_\_\_\_  
188\* .

1	2	3						4	5	6	7	
Serial number of batches.	Date of registration.	NUMBER REGISTERED.						Name of recruiter through whom registered.	Name of Colonial Agency for which registered.	Number and date of memorandum covering copies of agreements forwarded to Protector of Emigrants.	REMARKS.	
		Adults of and above 16 years.		Non-adults.								Total souls.
				Children from 2 to 16 years.		Infants under two years.						
		Male.	Female.	Boys.	Girls.	Male.	Female.					

## B.

[illegible]

Index to names of registered emigrants.

35. Every registering officer shall keep an alphabetical index in Form No. 6 of the names of the emigrants registered by him.

*Form of index to names of Emigrants registered in the district of*

Name of Emigrant.	Father's name.	Year of registration.	Serial number in register.



## CHAPTER III.

## • DEPÔTS.

*Section I.—Depôt accommodation.*

36. Every Agent, on establishing a depôt, shall apply to the Protector for a license to accommodate emigrants therein, and such license shall be granted in Form No. 7, after approval of the depôt arrangements by the Protector and the Medical Inspector.

## COLONIAL EMIGRATION FORM No. 7.

## FORM OF DEPÔT LICENSE.

The Emigration Agent for \_\_\_\_\_ is hereby authorized to accommodate in each shed of his depôt at \_\_\_\_\_ the number of Emigrants entered against it.

SERIAL NUMBER OF SHEDS.	MEASUREMENT OF EACH SHED.			Number of Emigrants to be accommodated in each shed.	REMARKS.
	Length.	Breadth.	Superficial area.		
Sleeping shed No. 1 . . . .					
Ditto No. 2 . . . .					
Ditto No. 3 . . . .					
Ditto No. 4 . . . .					
TOTAL NUMBER ALLOWED IN DEPÔT . . . . .					
Hospital shed No. 1 . . . .					
Ditto No. 2 . . . .					

*N.B.*—Space in sleeping sheds is calculated at 14 superficial feet, and in hospital sheds at 28 superficial feet to each emigrant.  
A fresh license will be required if the sheds are increased in number or size.  
This license shall be in force for one year only from the date hereof.

DATED AT

The

188 .

Protector of Emigrants.





38. The site of every depôt, and the disposition and construction of the sheds, shall, from a sanitary point of view, be subject to the approval of the Medical Inspector of Emigrants, who shall furnish the Protector of Emigrants, with a certificate of such approval.
- Depôt site.
39. The depôt grounds shall be cleaned, levelled, and drained; and, if necessary, wells and tanks shall be properly fenced in and protected from surface drainage.
- Depôt grounds.
40. Every depôt shall consist of the following buildings:—
- Nature of depôt buildings.
- (a)—*Reception shed* set apart for the examination of freshly arrived emigrants before they are permitted to occupy the accommodation shed.
- (b)—*Accommodation sheds* so constructed as to provide suitable accommodation for single women and married persons apart from that for single men: and to admit of the separation of emigrants who are about to embark from emigrants returned from the colony.
- (c)—*Cooking sheds*.
- (d)—*Latrines*.
- (e)—*Hospital sheds*, comprising a shed for the treatment of ordinary cases, an observation shed for suspected cases, and a segregation shed for treatment of contagious diseases not otherwise provided for; each such shed having separate wards for males and females.
- (f)—*Dispensary shed* with suitable accommodation for the resident depôt medical officer.
- (g)—*Inspection shed* for the mustering of emigrants for any purpose and, whenever necessary, for their feeding.
41. Air and light shall be admitted freely into all sheds to be occupied by emigrants by means of a sufficient number of doors and windows fitted with moveable screens; by openings under the eaves; and, if necessary, by properly constructed ridge-ventilators in the roof.
- Lighting and ventilation of depôt buildings.
42. The sleeping platforms for emigrants in the accommodation sheds shall be boarded, and when not removeable shall be sufficiently raised to admit of the space underneath being readily cleaned.
- Sleeping platforms.
43. The number of emigrants to be located in each accommodation shed shall be calculated at the uniform rate of not less than 14 superficial feet of space to each person; and such number shall be specified in some conspicuous part of the shed for the information of visiting officers.
- Capacity of accommodation sheds.
44. Cooking sheds shall have either brick or mud plastered walls and a tiled roof. A proper receptacle for rice-water and other kitchen refuse shall be provided.
- Construction of cooking sheds.
45. Iron tanks shall be provided, and a plentiful supply of the purest water obtainable shall be stored in them for drinking and cooking purposes. Each tank shall be fitted with a padlocked cover; and with two or more strong taps of simple construction: and in all cases where any doubt exists in the opinion of the Medical Inspector as to the uniform purity of the water-supply, every such tank shall be fitted also with a suitable and efficient filter.
- Water tanks.
46. Separate latrines shall be provided for males and females; and shall be properly roofed, lighted, and ventilated. The position and plan of the latrine, and the system adopted for the removal of night-soil, shall be subject to the approval of the Medical Inspector.
- Construction of latrines.
47. The wards of the hospital buildings shall be dry, well raised, thoroughly ventilated, and well lighted. The dispensary with accommodation for the resident depôt medical officer shall be conveniently situated. The fittings of the several sheds shall be such as may be considered necessary by the Medical Inspector.
- Construction of hospital buildings.
- Fire-extinguisher.
48. Efficient means for suppressing fires shall be provided in every depôt and kept in working order ready to hand.

#### Section II.—Depôt Management.

49. It shall be the duty of the Medical Inspector to supervise the depôts from a sanitary point of view, and, on the occasion of the visits prescribed in section 43, to inspect the emigrants in regard to their health, and to see that hospital and other medical arrangements are suitable and sufficient, that all necessary precautions, such as vaccination and other means, are taken against the occurrence and spread of communicable disease, and that the depôt arrangements for the feeding, clothing, and care generally of emigrants are sufficient to meet requirements. At the close of every month he shall forward to the Protector a report of his inspections in Form No. 9.
- Inspection of emigrants by Medical Inspector.

No.  
**COLONIAL EMIGRATION FORM No. 9.**  
**FORM OF MEDICAL INSPECTOR'S INSPECTION REPORT.**  
*Report of Medical Inspector on the sanitary arrangements in the Emigration Agent's*  
*depôts at \_\_\_\_\_ for the month of \_\_\_\_\_ 188 .*

QUESTIONS.	ANSWERS.						REMARKS.
	NAMES OF EMIGRATION AGENCIES.						
	1	2	3	4	5	6	
<i>1.—Sleeping sheds.</i>							
(a) Whether kept clean and in proper repair ?							
(b) Whether satisfactorily fitted, furnished, and ventilated ?							
<i>2.—Cooking sheds.</i>							
(a) Whether in proper repair and satisfactorily fitted and furnished ?							
(b) Whether any complaints were preferred as to the quality or quantity of food issued ?							
<i>3.—Water supply.</i>							
(a) Whether iron tanks are in proper order, and filled with a sufficiency of clean water for drinking and cooking purposes ?							
(b) Whether tanks are fitted with filtering apparatus; and if so, whether the filtering media has been renewed, and when ?							
(c) Whether the bathing arrangements are in working condition, and secure a supply of clean water in sufficient quantity for the number of emigrants accommodated in depôt ?							
<i>4.—Latrines.</i>							
(a) Whether condition of building and ablution arrangements are satisfactory ?							
(b) Whether cleanliness is secured and maintained ?							
<i>5.—Hospital.</i>							
(a) Whether hospital for ordinary disease is kept in thorough repair, and properly fitted and furnished to receive patients ?							
(b) Whether segregation shed is clean, and fitted and furnished for immediate use ?							
<i>6.—Dispensary.</i>							
Whether sufficiently provided with requirements ?							
<i>7.—Depôt tanks.</i>							
Whether properly cleaned and secured against accidents and the resort of emigrants for purposes of bathing and drawing water ?							
<i>8.—Depôt compound and drains.</i>							
Whether kept clean and in proper order ?							
<i>9.—Emigrants' clothing.</i>							
Whether the emigrants are sufficiently and cleanly clothed ?							
<i>10.—Improvements.</i>							
Whether any improvements can be made and have been suggested for promoting the healthiness of the depôt ?							

No.

FORWARDED to the Protector of Emigrants for information, with the remark that the Agents concerned have been requested to remedy existing defects.

DATED AT

The

188 .

Medical Inspector.

50. Every Agent shall reside or shall depute a responsible representative to reside within Residence of Emigration Agent in depôt. or in some place immediately adjoining his depôt premises, with a view to the exercise of immediate and efficient control over subordinates, and to the prevention of irregularities.

51. A visitors' book shall be kept in each depôt in which the Protector and Medical Inspector shall enter the dates of their visits, and may make such Depôt visitors' book. suggestions or remarks as they deem advisable.

52. Agents shall cause registers for every depôt to be kept in Forms Nos. 10 and 11, and the entries therein to be punctually, legibly, and accurately made. An annual return of accommodation and a monthly return of sickness in depôt, shall likewise be prepared in Forms Nos. 12 and 13 respectively, and shall be forwarded by the Agent to the office of the Protector. A weekly hospital report in Form No. 14 shall also be furnished by the Agent to the Medical Inspector.





FORM OF REGISTER OF DECEASED EMIGRANT'S PROPERTY.

Particulars of the effects (other than worn clothing) of deceased Emigrants as recorded by the Emigration Agent for \_\_\_\_\_ during the \_\_\_\_\_ year 188 .

[illegible]



## COLONIAL EMIGRATION FORM No. 12.

## DÉPÔT ACCOMMODATION RETURN.

Return of Emigrants accommodated in the dépôt of the \_\_\_\_\_ Agency during the year 188 \_\_\_\_\_.

1	District of registration.	2	Number despatched from sub-dépôt.	3	Infants born on the way.	CASUALTIES EN ROUTE				8	Arrived from recruiting districts.	9	Number in dépôt at close of previous year.	10	Transferred from other dépôts.	11	Re-admitted from outside hospital or asylum.	12	Born in dépôt.	13	Total of columns 8-12.	14	Rejected as unfit.	15	Released.	16	Transferred to other dépôts.	17	Sent to outside hospital or asylum.	18	Disposed of as orphans.	19	Deserted.	20	Died.	21	Despatched to colony.	22	Number in dépôt at close of year.	23	Number of returned emigrants emigrating again.	24	Number of emigrants required during the year.	25	Number of returned emigrants.	26	Amount of savings of returned emigrants.	27	REMARKS.
---	---------------------------	---	-----------------------------------	---	--------------------------	---------------------	--	--	--	---	------------------------------------	---	--	----	--------------------------------	----	--	----	----------------	----	------------------------	----	--------------------	----	-----------	----	------------------------------	----	-------------------------------------	----	-------------------------	----	-----------	----	-------	----	-----------------------	----	-----------------------------------	----	--	----	---	----	-------------------------------	----	--	----	----------









*Abstract of Batches under report.*

	ADULTS OF 16 YEARS AND UPWARDS.		CHILDREN OF 2 YEARS AND UNDER 16 YEARS.		INFANTS UNDER 2 YEARS.		REMARKS.
	Men.	Women.	Boys.	Girls.	Male.	Female.	
Originally registered							
Born on the journey							
TOTAL NUMBER							
Left behind temporarily							
Released							
{ Rejected as unfit							
{ Unwilling							
{ Claimed by relatives.							
Deserted							
Died							
TOTAL DEDUCTION							
Arrived at the dépôt							

Memo. No.

FORWARDED to the Protector of Emigrants for information.

DATED AT

The

188 .

Emigration Agent for

N.B.—If the absentees of any previously reported original batches arrive on any subsequent date, their admission should be reported in this form, but separately from returns of original batches arrived on the same date, with the following observation in the "remarks" column:—Absentees of the original batch, serial No. , reported under memorandum No. of 188 .

58. The emigrants shall be distributed in each accommodation shed according to the number it is licensed to hold, and shall, as far as possible, be prevented from overcrowding.

59. The clothes supplied to emigrants, both on admission into the dépôt and for the voyage, shall be regulated according to the scales laid down in schedule G of the rules, and shall be of the description and quality approved by the Medical Inspector, samples being retained in the Protector's office.

60. Emigrants in health shall be encouraged to bathe and to wash their clothes frequently; and a liberal supply of soap shall be allowed for the purpose.

61. The water in dépôt tanks may be used for drinking or cooking; and may be drawn for bathing and washing clothes, so long as the Medical Inspector does not consider its use for such purposes objectionable.

62. The rations issued daily for each emigrant or dependent in dépôt shall be regulated according to the scale laid down in schedule G. The cooked food and drinking water shall invariably, before being served out, be examined by the Resident Dépôt Medical Officer, who shall satisfy himself that the food is of good quality, sufficient in quantity, and well cooked; and that the water is pure and wholesome. Food suitable for infants and invalids, such as milk, soup, and sago, &c., shall be freshly prepared, and punctually supplied at proper intervals commencing in the early morning.

63. After meals, the Resident Dépôt Medical Officer shall see that the cooking sheds are swept out, that all cooking utensils are thoroughly cleaned, that no stale food is secreted either by the cooks or emigrants, and that any stale food is deposited along with other refuse matter in the receptacle specially provided.

64. Emigrants in dépôt shall be kept as much as possible in the open air; and may be employed on light work, such as keeping the accommodation sheds clean, and the dépôt garden and grounds in good order. Games or other amusements should be encouraged.

65. No cooking, feeding, or smoking shall be permitted in the sleeping sheds; and all lanterns used in them shall be padlocked.

66. Every unprotected emigrant admitted into the dépôt shall, so soon as possible thereafter, be vaccinated.







COLONIAL EMIGRATION FORM NO. 18.  
FORM OF REPORT OF CASUALTIES IN DEPÔT.

Return of Emigrants removed from the attendance roll of the \_\_\_\_\_ Emigration Depôt on the \_\_\_\_\_ 188 .

Names of emigrants and dependents.	Father's name.	Caste.	Age.	Sex.	PARTICULARS OF REGISTRATION.				PARTICULARS OF DEPÔT.		PARTICULARS OF CASUALTIES.			PARTICULARS OF RESECTION.			PARTICULARS OF RELEASE.		REMARKS.			
					Date of registration.	District where registered.	Registration number.	Name of recruiter.	Date of admission into depôt.	Depôt number.	Desertion.		Death.	Date.	Cause.	Date.	Cause.	Whether by Protector of Emigrants, or by Medical Inspector, or by Emigration Agent.		Date.	Cause to be specified as to whether— 1.—On account of rejection of relatives, or 2.—Irregular recruitment, or 3.—Unwillingness to emigrate, or 4.—Claims of relatives, or 5.—Non-requirement by agency, or 6.—Non-requirement by agency, or 7.—Any other cause.  NOTE.—Any of the first six causes may be specified by entering the indicating number against the emigrant's name, but "any other cause" should be fully stated.	Whether released with consent of Protector of Emigrants.
											Date.	Cause.										

Memo. No.

FORWARDED to the Protector of Emigrants for information.

Emigration Agent for

DATED AT

188

The

N.B.—This return should invariably be forwarded to the Protector's office on the date following that on which any reduction of the number of emigrants in the depôt occurs from any cause whatever except embarkation.

75. Every effort shall be made to despatch emigrants to the colonies for which they are engaged within a month from the date of their admission into depot, or so soon thereafter as possible; and the Agent shall forward an annual return in Form No. 19 on or before the 1st of May or 1st February as may be settled with reference to the date of the Protector's report showing the cause of any unusually long detention.

COLONIAL EMIGRATION FORM No. 19.

FORM OF REPORT OF DELAYED DESPATCHES OF EMIGRANTS.

Return showing cause of lengthy detention of Emigrants in depot of the \_\_\_\_\_ Agency during the year 188 .

NUMBER DETAINED.	HOW DISPOSED OF.				Cause of detention.	REMARKS.	
	Number despatched to colony.	Number released.					
		Under Section 50(1)a.	Under Section 50(1)b.	Under Section 50(1)c.			Under Section 65.
Over one month .							
„ two months .							
„ three „ .							

76. No emigrant, regarding whose emigration any question has been raised, shall be embarked by the Agent until the Protector sanctions in writing the embarkation of such emigrant.

77. Of the total number of emigrants to be embarked on board each ship, except in case of a ship bound for Mauritius, the proportion of females over ten years of age to males over ten years of age shall not be less than 40 to 100 males. In the case of ships bound for Mauritius, the proportion shall not be less than 33 to 100. Female passengers who emigrate to the colonies on their own account may be included in calculating the prescribed percentage of women to be shipped.

78. Should any Agent find it impossible to embark the prescribed proportion of women in any shipment, he shall submit an early application for the sanction of Government to embark less than the required proportion. Such application shall state the probable deficiency, and the manner in which the Agent intends subsequently to make good the number.

79. If in any ship women are embarked in excess of the prescribed number, the Agent may count such excess number towards the proportion required for any subsequent ship of the same season; but an excess at the close of any season shall not be allowed to count in respect of shipments of the following season.

80. Previously to the embarkation of emigrants, the quality of the clothing and blankets intended for their use on the voyage shall be examined by the Surgeon mentioned in Section 60 of the Act (hereinafter referred to as the Surgeon Superintendent), and the former shall be worn by the emigrants in his presence. If satisfied that clothing and blankets are sufficient and suitable in accordance with requirements, the Surgeon Superintendent shall give to the Agent for the information of the Protector a certificate to that effect in Form No. 20.

COLONIAL EMIGRATION FORM No. 20.

FORM OF SURGEON SUPERINTENDENT'S CERTIFICATE OF CLOTHING FOR THE VOYAGE.

CERTIFIED that the clothing provided for the emigrants to be embarked in the ship \_\_\_\_\_ was worn in my presence, and proved to be suitable and sufficient. The quality of the clothing, and of the blankets, was examined by me; and found to be good, and of a texture adapted to the requirements of the voyage.

DATED AT \_\_\_\_\_

The of \_\_\_\_\_ 188 .

Surgeon Superintendent.

81. A nominal roll (list), in quadruplicate, of all emigrants who in Madras have embarked and elsewhere are about to embark shall be prepared in Form No. 21, and special care shall be taken that the entries therein are correctly and legibly written. Should any alteration of names be necessary, subsequent to the preparation of the nominal roll (list), the original entries shall be scored through with a pen; and the fresh entries shall be substituted at the end of the roll under numbers corresponding to those originally entered. A reference shall be made in the "remarks" column against the numbers struck out to the page of the nominal roll on which the substituted numbers may be found.





82. Emigrants, before leaving the depôt for embarkation, shall be carefully identified with the entries in the nominal roll (list), and examined as to their fitness to undertake the voyage by the Surgeon Superintendent, who shall furnish to the Agent a certificate in form No. 22 of the results of his examination. Such statement shall be made over to the Medical Inspector, when finally examining the emigrants at the embarkation wharf; and shall be given by him, after the examination is concluded, to the Protector of Emigrants, with an endorsement thereon of his opinion as to the fitness of the emigrants to embark.

COLONIAL EMIGRATION FORM No. 22.

FORM OF CERTIFICATE OF FINAL MEDICAL EXAMINATION OF EMIGRANTS.

Statement of results of Medical Examination of Emigrants to be embarked in ship.

On this the                      day of                      188                      I identified in depôt the emigrants intended to be embarked for                      ; and found them to answer to their descriptive particulars in the embarkation nominal roll (list). I examined each individual emigrant in respect of his or her fitness in point of health to undertake the voyage; and I am satisfied that they are, with the exceptions noted below, fully capable of making the sea voyage safely, and without endangering the health of others.

Exceptions taken.

Number in nominal roll (list).	Remarks by Surgeon Superintendent.	Passed or rejected by Medical Inspector.	Name of substitute.

Surgeon Superintendent.

MEDICAL INSPECTOR'S ENDORSEMENT.

THE emigrants referred to in the above statement were examined by me at the embarkation wharf, and I am of opinion that they are fit to proceed, excepting those bearing the numbers noted below who have been exchanged for other emigrants brought from the depôt. As regards the exceptions taken by the Surgeon Superintendent, I have carefully examined the persons to whom they refer and consider them "fit" or "unfit" as entered against the numbers. Those unfit have been exchanged for others; and I am of opinion that every emigrant who has been substituted and entered in the nominal roll (list) accordingly can safely be allowed to proceed to the colony.

Number in nominal roll (list.)	Remarks by Medical Inspector.	Substitute.

Medical Inspector of Emigrants.

DATED

The                      of                      188                      .

83. Emigrants shall not leave the depôt for embarkation before they have had a cooked meal, except with the special sanction of the Protector, which shall only be given under very exceptional circumstances.  
Cooked meal prior to embarkation.  
84. Before the arrival of the emigrants, a supply of good drinking water shall be provided at the wharf for their use while undergoing final identification and medical examination.  
Supply of water at embarkation wharf.

## CHAPTER IV.

## TRANSPORT ARRANGEMENTS.

SECTION I.—*General Rules.*

85. The Medical Inspector of Emigrants shall be jointly responsible with the Protector of Emigrants for the suitability of the general fittings and hospital arrangements of emigrant ships; for the quality and sufficiency of the provisions and medical stores shipped for the voyage; and for the fitness for duty, in point of health, of the ship's officers and crew. He shall also be present with the Protector at the surveys of emigrant ships, and at the embarkation of emigrants; and he shall see that everything is done to secure the comfort of the emigrant passengers, and to render the occurrence of disease among them improbable.

Joint responsibility of Protector and Medical Inspector.

86. Unless the Surgeon Superintendent shall have been nominated by the Crown Agents, or by the Colonial Government, the Emigration Agent shall appoint a Medical Officer, in all respects fully qualified, to be Surgeon Superintendent. Every such appointment shall be made subject to the approval of the Protector and Medical Inspector, which shall not be given unless the officer appointed (a) holds a medical diploma of some recognised college or (b) has previously to the publication of these rules sailed in medical charge of Emigrants to the Colonies under Act VII of 1871.

Appointment of diplomaed Surgeon.

87. Every Medical Officer, on receiving from the Agent his appointment as Surgeon Superintendent, shall call at the Protector's office for the purpose of having his papers examined; and, if his nomination be approved, registered for future reference.

Registration of Surgeon's qualifications.

88. Every Surgeon Superintendent appointed to an emigrant vessel shall be present throughout her preparation for the voyage. If residing on shore, he shall send all his heavy baggage on board not later than the evening of the day preceding that fixed for embarkation with a view to being free on the day of embarkation to attend at the depôt and wharf for the uninterrupted discharge of the several duties devolving on him in connection with the embarkation of emigrants. On the day of embarkation he shall attend at the wharf at least one hour before the time fixed for the embarkation.

Attendance of Surgeon for embarkation duties.

89. A properly qualified compounder, or a properly qualified native doctor engaging to perform the duties of a compounder, shall, subject to the approval of the Protector and Medical Inspector of Emigrants be appointed by the Agent to every vessel chartered for the conveyance of emigrants; and shall call at the Protector's Office for registration of his name and necessary particulars. Should the number of emigrants to be carried exceed 500, or should other exceptional circumstances render it absolutely necessary in the opinion of the Medical Inspector, to appoint a second compounder, such compounder shall be appointed accordingly. Every compounder shall be qualified to act as interpreter. For the purposes of this rule two children under ten years of age shall be reckoned as one emigrant.

Appointment of compounders.

90. Every compounder appointed to an emigrant vessel shall take his effects on board on the evening of the day previous to that fixed for embarkation; shall attend at the depôt and wharf throughout the day of embarkation, and shall render to the Emigration Agent and Surgeon Superintendent such assistance as they may need in arranging for the embarkation.

Attendance of compounders for embarkation duties.

91. A store-keeper, who shall be fully qualified to keep a correct account in English of the issue of stores, shall be appointed by the Master, with the approval of the Protector of Emigrants, and shall be placed on the ship's articles. Such store-keeper may be the third officer of the ship.

Appointment of store-keeper.

92. The Agent shall appoint to every vessel chartered for the conveyance of emigrants the staff of attendants prescribed in scale No. 5 of schedule G. Such attendants shall, whenever practicable, be selected from among those accustomed to a sea life, and previously trained, either in depôt or elsewhere, to the kind of work to be performed on board.

Appointment of attendants.

93. Emigrants, who volunteer for the work, may be appointed by the Emigration Agent as cooks, nurses, and topazes. One of the nurses, best fitted for the work of supervising and directing the other nurses, shall be appointed head nurse.

Appointment of emigrants as attendants.

94. Separate agreements in duplicate shall be entered into with the compounders, nurses, and other attendants; and shall, in the cases of natives of India, provide for a free return passage to that country; and, in those of West Indians or Africans, for a free passage to their homes.

Agreements of native attendants.

95. The duplicate copy of such agreements executed as above shall, after the departure of the vessel, be forwarded by the Emigration Agent to the office of the Protector for submission to Government.

Disposal of duplicate agreements.

96. The attendants on emigrants shall during the voyage be under the immediate control of the Surgeon Superintendent, who shall be at liberty to disrate or dismiss any of them for misconduct or neglect of duty, and to appoint others in their stead, or add to their number in case of emergency or necessity.

Control of attendants.



97. The services of the compounder and store-keeper shall be entirely at the disposal of the Surgeon Superintendent. It shall be their duty to assist that officer in maintaining discipline among the emigrants; to see that all instructions are fully carried out; to report to him any irregularities and cases of sudden sickness; to help in issuing rations and water, and in distributing the meals; and to supervise generally, under the orders of the Surgeon Superintendent, all matters affecting the welfare of the emigrant passengers.

98. No pigs, dogs or ferocious or dangerous animals shall be allowed on board, nor shall any of the articles specified in schedule E be carried as cargo on board an emigrant vessel.

*Section II.—Emigrant vessels.*

99. When a vessel is to be chartered in India for the conveyance of emigrants, the Agent concerned shall avoid engaging (a) any vessel that is not classed as provided in schedule A appended to the rules; and (b), if practicable, any vessel that has carried a salt cargo on her previous voyage.

100. With a view to facilitate visits of emigration officers to an emigrant vessel, lying off Calcutta, for the purposes of survey and inspection, the master of such vessel shall, as early as possible, arrange with the Port authorities to have her moored in an inshore berth, if such a berth is available.

101. As soon as a vessel is chartered, the Emigration Agent shall forward to the Protector a certified copy of the charter-party, with a request for her survey, and shall direct the master to apply to the local Government, through the office of the Protector, for the requisite license to carry emigrants.

102. The master shall personally submit his application for a license in form No. 23: and shall therein furnish information as to—

- (a) The number of emigrants which he believes his vessel to be capable of carrying under Sections 57 and 58 of the Act:
- (b) The ship's classification:
- (c) The ship's tonnage:
- (d) Whether the ship is fitted with any apparatus for securing artificial ventilation; and of what description:
- (e) Whether the ship's receptacles for drinking water are separately constructed tanks, or mere compartments of the hull; and what was last stored in them:
- (f) The cargo last carried; and
- (g) Whether cholera, small-pox, measles, scarlet fever, yellow fever or other dangerous communicable disease has occurred on board during either of the ship's last two voyages.

COLONIAL EMIGRATION FORM No. 23.

FORM OF MASTER'S APPLICATION FOR LICENSE.

FROM

THE MASTER OF THE SHIP  
LYING OFF

To

THE PROTECTOR OF EMIGRANTS,

Dated . . . the . . . of . . . 188 .

SIR,

THE ship named . . .  
of . . .

under my command, and owned by . . .  
having been chartered by . . .

subject to the approval of the local Government, for the conveyance of Indian emigrants hence to the colony of . . ., I have the honour to apply for a license to convey to the said colony, under the provisions of the Indian Emigration Act, 1883, emigrants, which number, I believe, the vessel can, under Sections 57 and 58 of the Act, carry, and to request the favour of your submitting my application to Government.

2. I furnish the following information regarding the ship as required by Rule 102 of the Colonial Emigration Rules:—

- (b) Classification.
- (c) Tonnage.
- (d) Artificial ventilation.
- (e) Provision for drinking water and description of tank.
- (f) Cargo last carried.
- (g) Occurrence of infectious diseases.

I have the honor to be,

SIR,

Your most obedient servant,

*Master.*

103. If dangerous communicable disease is reported to have recently occurred, the Protector, in consultation with the Medical Inspector, shall determine whether the vessel can safely be employed in carrying emigrants : and shall inform the master of his decision.

104. If there be no objection on sanitary grounds to the employment of the vessel, the Protector shall cause her to be surveyed by the Marine and Engineer Surveyor in respect of her classification and tonnage, seaworthiness, the nature of her accommodation for emigrants, the number of emigrants which she is legally capable of accommodating, the nature and sufficiency of her ventilators, the number, description, and condition of the permanently fixed tanks, or receptacles for water, the adequacy and suitability of the tackle, apparel, and furniture requisite for her intended voyage, the strength of officers and crew which she should employ, the suitability and condition of all steam and other machinery, and generally the other points specified in the schedules appended to these rules.

105. The Marine Surveyor shall forward to the Protector, *first*, a report in form No. 24, of the results of his preliminary survey as to the vessel's eligibility for employment, and, *second*, when every requirement under the Act and Rules has been met to his satisfaction, a final report with a certificate in form No. 25.

#### COLONIAL EMIGRATION FORM No. 24.

##### FORM OF CERTIFICATE OF PRELIMINARY SURVEY OF EMIGRANT VESSEL.

1. Certified that I have carefully surveyed the <sup>sailing</sup> <sup>steam</sup> ship of <sup>tons</sup> <sup>class</sup> <sup>lying off</sup> who holds a certificate of competency, and that I consider her in every respect thoroughly seaworthy and eligible for the conveyance of Indian emigrants to

2.—Certified also that I have personally ascertained all the information furnished under the first two heads below to be in accord with facts ; that the ventilation and provision for drinking water as already available and ordered to be supplied will meet requirements : and that the master has been informed of the requirements of the rules as to certificated officers and crew noted below for compliance before issue of my final survey report on his ship :—

- |   |   |
|---|---|
| (1) Passenger accommodation   | { Situation.<br>Extent in superficial feet.<br>Number the vessel can legally carry under Sections 57 and 58 of the Act.                 |
| (2) Drinking water receptacles such as main tanks and compartments, exclusive of small tanks that are not fixtures. |   |
|   |   |
| (3) Ventilation   | { Of between decks . . . { Existing already.<br>{ Of hold . . . { Additional required.<br>{ Existing already.<br>{ Additional required. |
| (4) Officers and crew   | { Officers besides the store-keeper . . . { Number.<br>{ Crew . . . { Certificates.<br>{ Number.<br>{ Description.                      |

*Marine Surveyor.*

No.

FORWARDED to the Protector of Emigrants for information.

DATED AT

The of 188 .

*Marine Surveyor.*

## COLONIAL EMIGRATION FORM No. 25.

## FORM OF CERTIFICATE OF FINAL SURVEY OF EMIGRANT VESSELS.

(a).—*Vessel.*

Name of vessel.	Whether steamer or sailing vessel.	IF STEAMER—		Classification.	TONNAGE.		Mean draft of water.	Where and when built.	When surveyed, and date of survey.	Where and when last in dry dock.
		Whether single or twin screw, paddle wheel, or hydraulic propeller.	Registered horse-power.		Gross.	Register.				

(b).—*Hull.*

Whether iron, steel, wood or composite.	OF WOOD.		OF IRON.		LONG VOYAGE.		REPAIRS.	
	Of what wood.	SHEATHING.	Is bottom scraped.	WATER-TIGHT COMPARTMENT.		Whether any made, and when.	Whether any and what additions or alterations of straining on former voyage.	What state.
		When last sheathed with copper or other material.		Number and position.	Number of doors and how fastened.			

(c).—*Decks.*

Whether properly laid, caulked and payed throughout.	UPPER DECK.				PASSENGER BETWEEN DECKS.			
	Thickness.	If of iron, whether properly covered with a water-tight wooden deck.	Whether ordinary hatches can be put on and removed without disturbing stowage of hatches or grating.	Whether ordinary hatches are properly covered with a water-tight wooden deck, as per requirements.	Thickness.	Height.	Superficies.	Whether hatches are properly covered with a water-tight wooden deck, as per requirements.



## (d).—Machinery.

DISTILLING AND STEAM COOKING APPARATUS.															
STEAM VESSELS.					CONDENSER.					COOKING APPARATUS.					
Description of Engines.	Boilers.			SAFETY VALVES.			CONDENSER.					Whether fitted with safety valve.			
	Number.	Description.	Age.	Date when the inside was last examined by Surveyor.	Number on each boiler.	If covered in and beyond control of Engineer when steam is up, state whether dead weight, levers or springs; and if a patent, whose.	Pressure per square inch in lbs.	Whether taken to pieces for examination.	State.	How many gallons of pure cold water yielded in 24 hours.	Engineer or Driver.				
											Name of person.		Whether competent to manage and repair machinery.	If Engineer, number of his certificate.	Whether condensed water from cooking boilers passes through filter into storing tank.

## (e).—Ground tackle.

ANCHORS.					CABLES.				
Description of anchors.	WEIGHT.		IS TESTED.		Description of chain and other cables and hawsers.	Materials.	Size.	Length.	Where clenched.
	Cwt.	Qrs.	When.	Where.					
Bower	1	3			For Bower anchors				
Kedge and stream	1	3			Kedge and stream				
	1	3			Other cables and hawsers				

## (f).—Rig.

MASTS AND SPARS.					RIGGING, STANDING AND RUNNING.				
State of.	Repairs or alterations required.	Date of their completion.	Whether of metal, hemp or coil.	If good and complete.	Renewals or alterations required.	Date of their completion.	List of.	State when examined.	Repairs required.

## SAILS.

State of.	Repairs or alterations required.	Date of their completion.	Whether of metal, hemp or coil.	If good and complete.	Renewals or alterations required.	Date of their completion.	List of.	State when examined.	Repairs required.

## Date of their completion.

## Repairs required.

## State when examined.

## List of.

## Date of their completion.

## Renewals or alterations required.

## If good and complete.

## Whether of metal, hemp or coil.

## Date of their completion.

## Repairs or alterations required.

## State of.

(g).—Boals.

Descarription.	Number.	Cubical contents in feet.	Of what material.	State of repair.	Where carried.	Whether provided with every requirement under schedule A.	Repairs required.
Life boats	.	.	.	.	.	.	.
Long "	.	.	.	.	.	.	.
Other "	.	.	.	.	.	.	.

(h).—Equipment.

FIRE EXTINGUISHING APPLIANCES.			PUMPS AND HOSES.			Description of lights.	Dioptric or common.	Where carried.	Length of screens or Low fitted or secured.	Whether fog danger, or distress signals provided as per requirements of schedule A.	Whether new Commercial Code of Signal Flags provided.
Engines and hoses.	Buckets.		Description.	Number.	If working condition tested and length of hoses found practically sufficient.						
Nature and description.	If working condition tested and length of hose found practically sufficient.	Number and whether kept conveniently at hand.									
						Ports . . . . .					
						Starboard . . . . .					
						Masthead . . . . .					
						Anchor . . . . .					

(h).—Equipment—continued.

[illegible]





106. In the event of the Marine Surveyor considering a vessel unseaworthy, or in any respect unfit for the safe conveyance of emigrants, he shall, in lieu of the preliminary survey report (form No. 24), forward all for the information of the Protector, and for communication to the Master, a special report containing the reasons for his conclusion.

Special report on unsuitable vessel.  
Procedure on receipt of preliminary survey report.

107. On receipt of the preliminary survey report from the Marine Surveyor, the Protector shall forward a copy to the Master concerned.

108. The Master, on receiving from the Protector a copy of the Marine Surveyor's preliminary survey report, shall, after clearing the spaces intended to be given up for emigration purposes, and removing all obstructions to a thorough inspection, arrange with the Protector by application in form No. 26 the day on which the inspection is to be held. He shall also intimate the date of the intended inspection to the Emigration Agent, who shall arrange for the attendance of the Surgeon Superintendent, if the latter is at the port of Embarkation.

#### COLONIAL EMIGRATION FORM No. 26.

##### FORM OF MASTER'S APPLICATION FOR FIRST INSPECTION.

FROM

THE MASTER OF THE SHIP

LYING OFF

TO

THE PROTECTOR OF EMIGRANTS.

Dated the                      of                      188 .

SIR,

HAVING cleared the spaces intended for the accommodation of emigrants, and removed all obstructions to a thorough inspection of the places that are to be given up for the hospital, dispensary, store room, galley and latrines, I have the honour to request that you will be so good as to inform me of the date on which you will be able to inspect the ship and determine the fittings which will be required under the rules.

\*2. The samples of the stores to be shipped for the voyage are on board awaiting inspection.

I have the honour to be,

SIR,

Your most obedient servant,

Master.

109. When holding this inspection, the Protector and Medical Inspector shall, in communication with the Emigration Agent, Surgeon Superintendent, and Master, determine any questions in regard to accommodation, ventilation, and fittings generally which may arise in connection with the requirements for emigrants prescribed by the Act and rules: and, if necessary, the Master shall be furnished with a memorandum of instructions for his guidance.

110. The quality of the stores to be shipped for the voyage shall likewise be determined during or in the case of Madras, immediately after the inspection; and the Master shall be responsible for the shipment of the stores up to the standard of samples as approved and left with him.

111. The Master shall give special attention to the stowage of combustibles and take every care that rockets, blue lights, and fireworks are carried in separate boxes; that the boxes are not kept below the weather deck; and that nothing whatever of any kind, whether explosive or otherwise, is carried in the same magazine or receptacle with gunpowder, or with signals made of gun-cotton or cotton-powder. He shall appoint one of his principal officers, the Engineer, and the ship's carpenter jointly to have charge of the fire-extinguishing appliances, and to be responsible for their being in good working condition, and at hand for immediate use, if wanted.

112. One or more distinct portions of the hold under lock and key shall be set apart for the orderly stowage of emigrants' stores, extra blankets, and heavy luggage.

113. The water for the emigrants and ship's crew shall be stored in independently constructed water-tanks, or with the approval of the Marine Surveyor in after compartments of the vessel. The capacity of each of such tanks or compartments shall not exceed 5,000 gallons.

\* Paragraph 2 of Form 26, may be omitted in the case of a vessel at Madras.

114. After completing the means of ventilation and general fittings, and if the vessel is at Calcutta the shipping and sorting of all the stores, clothing, and miscellaneous articles required for the voyage, the master shall request the Surgeon Superintendent to inspect them, and to furnish a certificate (form No. 27), for submission to the Protector with his application if the vessel is at Madras for inspection, and if she is at Calcutta for final inspection by the Emigration officers.

115. The Surgeon Superintendent shall thereupon hold a careful examination: and, after fully satisfying himself by personal examination that each article of the stores accords strictly in quality and quantity with the requirements of the rules and schedules, shall give to the Master the desired certificate in form No. 27.

#### COLONIAL EMIGRATION FORM No. 27.

##### FORM OF CERTIFICATE OF SURGEON SUPERINTENDENT'S EXAMINATION OF STORES SHIPPED.

CERTIFIED that I have carefully examined, *\*on board the ship*, the provisions, miscellaneous articles, and medical stores *shipped\** for the use of emigrants: that I have compared the quantities of the several articles with those prescribed in the scales, and found them to be correct in every instance. I have carefully examined on board all the extra clothing and blankets shipped for the voyage, and have found them to be according to scale, and of good quality. All required fittings are completed, and there is nothing to prevent the holding of the *final\** survey by the Government emigration officers.

DATED

*Surgeon Superintendent.*

*The of* 188 .

116. When the Master is ready for final inspection, he shall forward to the Protector's office, in the forenoon of the day preceding that on which such inspection is desired, an application in form No. 28 and the following certificates:

- (a) Certificate *\*of shipment* of provisions for emigrants (form No. 29).
- (b) Ditto of supply of drinking water (form No. 30).
- (c) Ditto of efficiency of distilling apparatus (form No. 31).
- (d) Ditto *\*of shipment* of medical stores (form No. 32).
- (e) Ditto *\*of shipment* of stores for native crew (form No. 33).
- (f) Ditto of non-shipment of objectionable articles (form No. 34).
- (g) Ditto of Surgeon Superintendent's examination of stores *shipped\** (form No. 27).

#### COLONIAL EMIGRATION FORM No. 28.

##### FORM OF MASTER'S APPLICATION FOR FINAL INSPECTION.

To

THE PROTECTOR OF EMIGRANTS.

*Dated*

SIR,

THE ship's full equipment having been completed in every respect in accordance with the requirements of the rules and schedules and instructions received, and the stores *shipped\** for the use of emigrants having been carefully checked by the store-keeper and Surgeon Superintendent, in respect of the quantities prescribed in the scales and arranged in accordance with the instructions given, I have the honour to forward herewith the certificates required under rule 116, viz. :—

- (a) Certificate *\*of shipment* of provisions.
- (b) Ditto of supply of drinking water.
- (c) Ditto of efficiency of distilling apparatus.
- (d) Ditto *\*of shipment* of medical stores.
- (e) Ditto *\*of shipment* of stores for native crew.
- (f) Ditto of non-shipment of objectionable articles.
- (g) Ditto of Surgeon Superintendent's examination of stores shipped.

I now request that you will be so good as to arrange with the Medical Inspector for the *final\** inspection of the fittings and examination of the stores on the of , when a sufficient number of hands will be in attendance to facilitate the work.

I have the honour to be,

SIR,

Your most obedient servant,

*Master.*

*Ship lying off*

\* NOTE.—The words in italics in Forms 27 and 28, may be omitted in the case of a vessel lying off Madras.





COLONIAL EMIGRATION FORM No. 29.—*continued.*(C).—*Statement of Medical comforts.*

ARTICLES.	Scale allowance for one hundred emigrants for places west of the Cape and to Fiji and South Australia, calculated for a voyage of 20 weeks.	Scale allowance for one hundred emigrants for places east of the Cape, and to Fiji and Torres Straits, calculated for a voyage of 12 weeks.	Total quantity shipped for statute adults.			Number of packages.	REMARKS.
	lb.	lb.	lb.	oz.	dr.		
Chicken broth . . . . .	50	50					
Mutton . . . . .	50	None.					
Meat Peptonoids . . . . .	2	1					
Milk, preserved . . . . .	480	240					
Sago . . . . .	80	40					
Arrowroot . . . . .	80	40					
Soojee . . . . .	50	25					
Flour (fine) . . . . .	30	None.					
Sugar . . . . .	600	300					
Tea . . . . .	5	None.					
Bael fruit (candied) . . . . .	30	15					
Lime-juice . . . . .	40 gallons.	15 gallons.					
Brandy . . . . .	8 "	3 "					

(D).—*Statement of provisions for sheep.*

ARTICLES.	Daily allowance for each sheep.		Quantity for voyage to be at scale rate for—	Total quantity shipped.	Number of packages.	REMARKS.
	lb.	Gallons.				
Gram . . . . .	3	...	Half the full number of sheep.	...	...	Scale quantity for the full number of sheep to be shipped for the entire voyage.
Hay . . . . .	2	...	Ditto ditto .	...	...	In case of vessels touching at the Cape or St. Helena, half the scale quantity for the number of sheep to be shipped at port of embarkation, and similarly half the scale quantity at port of call for sheep to be supplied there.
Water . . . . .	...	1	The full number of sheep.	Gallons.	...	Scale quantity to be shipped at port of embarkation, subject to deductions at the rate prescribed on account of condenser and water supply at port of call.

(E).—*Statement of miscellaneous articles.*

## For One Hundred Emigrants.

ARTICLES.	Scale allowance for one hundred emigrants for places west of the Cape or Fiji and South Australia for 20 weeks.		Scale allowance for one hundred emigrants for places east of the Cape or Fiji and Torres Straits for 12 weeks.		Total quantity shipped for Emigrants.			REMARKS.
	Weight.	Number.	Weight.	Number.	Mounds.	Seers.	Chittucks.	
Soap . . . . .	600 lb	...	300	...				
Do., Marine . . . . .	100 lb	...	50	...				
Cloth lines . . . . .	...	1 set	...	1 set				
Sydney stones or fire bricks . . . . .	...	25	...	12				
Dried cocoanuts (entire) . . . . .	...	25	...	12				
Sand . . . . .	1 ton	...	1 ton	...				
Straws . . . . .	...	...	...	4				
Squagees . . . . .	...	8	...	1				
Brooms . . . . .	...	12	...	60				
Scrapers . . . . .	...	100	...	3				
Pails (galvanised iron) . . . . .	...	5	...	4				
Price's hexagonal safety lanterns with spring sockets, three spare plates of glass, and one spare spring for each . . . . .	...	4	...	...				See scale No.
Price's candles in two sizes, No. 5 to burn five hours, and No. 7 to burn seven hours, for each lantern, for total number of nights of voyage . . . . .	{ No. 5. No. 7.		{ to length of voy.		{ to length of voy.			
Rectangular iron boilers with covers and perforated false bottoms complete, for rice large size 2 feet long, 18 inches wide, and 18 inches deep . . . . .	...	...	...	...				See scale No.
Smaller iron boilers with covers complete for dal, &c., 18 inches long, 12 inches wide, and 18 inches deep . . . . .	...	...	...	...				See scale No.
Ladies (iron) for (Rice Dal Chutney	...	...	...	...				
Curry stones and mullers . . . . .	...	...	...	...				
Bamboo sieves for rice . . . . .	...	...	...	6				
Wire gauze sieves for flour . . . . .	...	...	...	1				

## COLONIAL EMIGRATION FORM No. 29—continued.

For Every Vessel.

ARTICLES.	Scale allowance for one hundred emigrants for places west of the Cape or Fiji and South Australia for 20 weeks.		Scale allowance for one hundred emigrants for places east of the Cape or Fiji and Torres Straits for 12 weeks.		Total quantity shipped for emigrants.			Number of packages.
	Weight.	Number.	Weight.	Number.	Mounds.	Sacks.	Chittacks.	
Hanging stoves with padlocks and keys . . . . .	...	4	...	4				
Charcoal for hanging stoves . . . . .	600 lb.	...	300 lbs.	...				
Deck tubes, large . . . . .	...	4	...	4				
Lantern for Surgeon . . . . .	...	1	...	1				
Ditto for dispensary . . . . .	...	1	...	1				
Grummetts for the boilers or trays . . . . .	...	2	...	2				
Strong galvanised iron rice tray with perforated bottom, 5 feet long, 2½ feet wide, and 1½ inches deep . . . . .	...	1	...	1				
Hatchets for wood . . . . .	...	1	...	2				
Knives . . . . .	...	6	...	6				
Lever knives for opening tins (metal handles) . . . . .	...	4	...	2				
Spoons (iron, tinned) . . . . .	...	24	...	12				
Block-tin saucepans from 2 pints to 2 gallons . . . . .	...	6	...	4				
Iron chuppatee plates, ½ inch thick—of sizes sufficient to fit fireplaces . . . . .	...	2	...	1				
Gallon measures (stamped) . . . . .	...	2	...	2				
Half-gallon measures (stamped) . . . . .	...	2	...	2				
One-quarter gallon ditto . . . . .	...	2	...	2				
Smooth boards, 18 inches square with rolling pin to each . . . . .	...	6	...	6				
Scales and weights to weigh from ½ to 14lb . . . . .	...	1	...	1				
Salter's spring balance weighing up to 250lb . . . . .	...	1	...	1				
Cork screws . . . . .	...	2	...	1				
Tin funnels in a nest of four sizes from ½ gallon to ½ pint . . . . .	...	4	...	4				
Thermometers . . . . .	...	4	...	4				
Hospital mattresses . . . . .	...	1	...	1				
Ditto pillows . . . . .	...	1	...	1				
Ditto pillow cases . . . . .	...	2	...	2				
Ditto waterproof sheets for mattresses . . . . .	...	1	...	1				
Ditto commode and pan . . . . .	...	1	...	1				
Ditto towels . . . . .	...	24	...	12				
Small hospital stove . . . . .	...	1	...	1				
Dusters for dispensary use . . . . .	...	24	...	12				
Chamois leath cr, 18 inches square . . . . .	...	3 pieces	...	1 piece				
Iron tank with filter and taps . . . . .	...	1	...	1				
Sheep pens . . . . .	...	2	...	2				
Dirt shoot . . . . .	...	1	...	1				
Bathing screen . . . . .	...	1	...	1				
Scrubbing brushes . . . . .	...	12	...	1				

CERTIFIED that the numbers and total quantities of the articles specified in the above four statements for the use of emigrants—two children under ten years of age counting as one emigrant only—are actually on board the ship under my command; that the articles of diet are equal in quality to the samples approved; and that everything has been carefully weighed, marked, and arranged in readiness for survey. Certified further that in addition to the stores for the exclusive use of emigrants, there is on board a sufficient and proper supply for months of wholesome provisions and water (the latter drawn from the municipal hydrants) for the use of the officers and crew and for the live-stock on board the ship, besides an additional supply of cabin stores as required by the Charter-party for the use of the Surgeon Superintendent and his assistants. Certified also that no old stores or water remaining over from any previous voyage have been retained and included among the stores and water certified to have been shipped for the coming voyage.

DATED

The

188 .

Officer in charge of the stores.

Master,  
Ship

# COLONIAL EMIGRATION FORM No. 30.

## FORM OF CERTIFICATE FOR DRINKING WATER.

Statement of drinking water supplied to the emigrant ship *for the voyage to* *in the year 188* .

FOR WHOM SUPPLIED.	QUANTITY IN GALLONS REQUIRED ACCORDING TO SCALE.				DEDUCTION IN GALLONS ALLOWED.			QUANTITY IN GALLONS SHIPPED IN CALCUTTA.				REMARKS.			
	Number.	Daily allowance.	Duration of voyage in days.	Quantity to be shipped.	Total.	For condenser.	For subse-quent supply at interme-diate port.	Total.	In ship's fixed tanks.		In moveable tanks.		Total.	Grand Total.	
					One-third of full scale requirement.	One-third of full scale requirement.	of full scale require-ment.		Description or situation of tanks.	Total.	Number and capacity.	Number and capacity.			

1. Certified that the above quantity of water on board has been supplied from the municipal hydrant by boats used solely for supply of water to ships in the port.

DATED AT

The of 188 .

Officer in charge of hydrants.

2. Certified that the tanks in which the water has been stored were carefully examined by me before and after they were filled, and found to be clean, water-tight, and in good condition. No water of the previous voyage has been retained.

DATED AT

The of 188 .

Master.

3. Certified that I examined the water supplied to the ship for the voyage, and found it to be pure and wholesome.

DATED AT

The of 188 .

Surgeon Superintendent.



## COLONIAL EMIGRATION FORM No. 31.

## FORM OF CERTIFICATE OF DISTILLING APPARATUS.

I HEREBY certify that I have carefully examined and tested the distilling apparatus No. \_\_\_\_\_ by \_\_\_\_\_ on board the ship \_\_\_\_\_; and have satisfied myself that the requirements of the schedule have been fully and satisfactorily complied with; that the machine is in thoroughly good working condition; that it is capable of distilling the full quantity of water required for daily consumption; that the water condensed in my presence was pure and unobjectionable, and that the steam cooking apparatus connected to the machine is properly fitted, and will fulfil all requirements during the voyage. I certify that the driver, who has been appointed to work the machinery, has been ascertained by me to be qualified in every respect for the satisfactory discharge of his duties; and I certify further that the quantity of coal shipped for the above machinery, amounting to \_\_\_\_\_ tons for the condenser, and \_\_\_\_\_ tons for the cooking apparatus, will be amply sufficient for the voyage; and that \_\_\_\_\_ tons shipped besides for the crew and cabin galleys will suffice to meet their requirements, the coal throughout being of approved quality.

DATED

The

of

188 .

Engineer Surveyor.



COLONIAL EMIGRATION FORM No. 32.—*continued.*(B).—*Statement of medical miscellaneous articles.*

ARTICLES.	FOR ONE HUNDRED EMIGRANTS.		Supplied for statute adults proceeding to
	(a) Voyage to places west of the Cape or to Fiji <i>via</i> Australia.	(b) Voyage to places east of the Cape or to Fiji <i>via</i> Torres Straits.	
	For 20 weeks.	For 12 weeks.	
	Quantities.	Quantities.	
Adhesive plaster (spread) . . . . .	4 yards . . . . .	2 yards.	
Calico . . . . .	10 " . . . . .	5 "	
Flannel . . . . .	15 " . . . . .	5 "	
Lint . . . . .	3 " . . . . .	2 "	
Spongopline . . . . .	1 yard . . . . .	1 yard.	
Papers for powders, &c. . . . .	1 quire (white) . . . . .	1 quire (white).	
Bed-pans { Metal . . . . .	1 . . . . .	1 .	
{ Chinaware . . . . .	1 . . . . .	None.	
Glass syringe (urethra) male . . . . .	2 . . . . .	2 .	
Ditto female . . . . .	1 . . . . .	1 .	
Atropin, discs, Maw's hypodermic . . . . .	1 dozen . . . . .	None.	
Phials, 2oz., and 4oz., and 6oz. . . . .	1 dozen of each . . . . .	1 dozen of each.	
Corks, assorted sizes . . . . .	2 dozens . . . . .	1 dozen.	
Guttapercha tissue . . . . .	1 yard . . . . .	1 yard.	

(C).—*Statement of instruments and appliances for Hospital and Dispensary.*

ARTICLES.	PROCEEDING TO PLACES WEST OF THE CAPE OR TO FIJI <i>via</i> AUSTRALIA.	PROCEEDING TO PLACES EAST OF THE CAPE OR TO FIJI <i>via</i> TORRES STRAITS.	REMARKS.
	Number.	Number.	
Case of instruments containing—tourniquet artery forceps, dissecting forceps; three amputating knives; three scal- pels; one gum-lanceot; tooth instruments, ( <i>viz.</i> three pairs forceps, elevator, and key); trephine amputating saw; pro- bang; bone forceps; needles; ligature silk; soft iron wire and horse hair for sutures; a tracheotomy tube double; ear syringe, brass, (Maw's) with Toynbee's and Abernethy's nozzles; and two midwifery forceps, one long and one short* . . . . .	1 case . . . . . 1 . . . . .	1 case. Case containing enema and stomach pump only (Maw's). Pocket dressing case, single (Maw's). 1 . . . . . 2 . . . . . 6 . . . . .	* In the case of vessels proceeding to Natal, Mauritius, or Fiji <i>via</i> Torres Straits, the ear pump, hypodermic syringe, and short midwifery forceps may be omitted.
Case containing stomach enema and ear pump (Maw's)* . . . . .	1 . . . . .	1 . . . . .	
Pocket dressing case (Maw's) with hypodermic syringe* . . . . .	1 . . . . .	1 . . . . .	
Postmortem case (Maw's) . . . . .	1 . . . . .	1 . . . . .	
Clinical thermometers . . . . .	2 . . . . .	2 . . . . .	
Catheters, metallic, 4 Nos. 4, 6, 8, 12. . . . .	6 in case . . . . .	6 . . . . .	
Do. gum elastic, 2, No. 8 . . . . .	1 set . . . . .	1 set.	
Scale and weights (grain) dispensing . . . . .	1 set . . . . .	1 set.	
Two ounce measure glass . . . . .	2 . . . . .	2 . . . . .	
Minim measure glass . . . . .	2 . . . . .	2 . . . . .	
Pint measure, pewter . . . . .	1 . . . . .	1 . . . . .	
Four ounce powder pots for administering medicines . . . . .	6 . . . . .	4 . . . . .	
Infusion pots . . . . .	2 . . . . .	2 . . . . .	
Pestle and mortar (Wedgewood) . . . . .	1 . . . . .	1 . . . . .	
Glass rod stirrers . . . . .	2 . . . . .	1 . . . . .	
Tin funnels . . . . .	2 . . . . .	2 . . . . .	
Glass funnels . . . . .	1 . . . . .	1 . . . . .	
Spatulas . . . . .	2 . . . . .	2 . . . . .	
Cammel hair pencils . . . . .	3 . . . . .	2 . . . . .	
Blood-porringer (16 oz.) . . . . .	1 . . . . .	1 . . . . .	
Pius, in paper . . . . .	1 packet . . . . .	1 . . . . .	
Scissors, common (best) . . . . .	1 . . . . .	1 . . . . .	
Knife, pocket . . . . .	1 . . . . .	1 . . . . .	
Slab for pills, marked . . . . .	1 . . . . .	1 . . . . .	
Tape . . . . .	1 bundle . . . . .	1 . . . . .	
Common splint . . . . .	2 sets . . . . .	1 . . . . .	
Long . . . . .	1 set . . . . .	1 . . . . .	
Tow fine . . . . .	2 lb. . . . .	1 . . . . .	
Cotton, wool . . . . .	2 . . . . .	1 . . . . .	
Infant feeding bottles . . . . .	1 dozen . . . . .	6 . . . . .	
Nipples for ditto . . . . .	3 dozens . . . . .	1 dozen.	
Feeding spoons . . . . .	6 . . . . .	3 . . . . .	
Test tubes in case . . . . .	1 nest . . . . .	1 . . . . .	
Matches, patent safety . . . . .	3 packets . . . . .	2 packets.	
<i>Disinfectants.</i>			
Chivert's or MacDougal's powder . . . . .	500 lb . . . . .	300 . . . . .	
Impure carbolic acid . . . . .	6 gallons . . . . .	4 gallons.	
<i>Book.</i>			
British Pharmacopoeia . . . . .	1 copy . . . . .	1 copy.	

CERTIFIED that we have supplied the above  
medical stores according to the prescribed  
scales for emigrants under  
conveyance to ;  
and that special attention has been paid to  
the provision of drugs that they are fresh and  
of the best quality.

DATED

The

Druggists.

The

DATED

{ Surgeon Supdt.

Ship.

1 f 1



## COLONIAL EMIGRATION FORM No. 33.

*Form of certificate of shipment of stores for native crew.*

I HEREBY certify that I have been on board the <sup>sailing</sup><sub>steam</sub> vessel bound for  
and back, and that I have personally examined the months' stores intended for her  
crew, to consist of natives, and have found the same to be correct in quantity and  
of good quality.

GOVERNMENT SHIPPING OFFICE, CALCUTTA,

*The*

188 .

*Shipping Master.*

## COLONIAL EMIGRATION FORM No. 34.

FORM OF CERTIFICATE OF NON-SHIPMENT OF OBJECTIONABLE ARTICLES.

I HEREBY certify that no animals prohibited by rule 98 are on board the ship ;  
that none of the articles prohibited under that rule have been shipped as cargo ; and that all  
combustible materials needed for signals have been safely stowed in accordance with the  
requirements of rule 111. I certify also that , one of my principal officers,  
the Engineer, and the ship's carpenter have been appointed by me to be jointly responsible for  
the good working condition of the fire-engine, hose, buckets, and other precautions against fire,  
and for their being immediately available when wanted for use.

*Dated**Master.**Ship*

117. The Protector shall fix the day for the inspection ; and fully 24 hours previous  
Arrangement for final inspection. to the time so fixed shall issue a notice requiring the Medical  
Inspector to attend on board. He shall also inform the  
Master of the arrangement made, for communication to the Agent and Surgeon Superin-  
tendent.

118. In the event of any defects or deficiencies being found at the inspection, the Master  
Memorandum of defects and re- shall for his guidance be furnished by the Protector with a  
quirements. memorandum thereof in form No. 35.

## COLONIAL EMIGRATION FORM No. 35.

FORM OF MEMORANDUM OF DEFECTS ON FINAL INSPECTION.

The defects noticed at the inspection held ;  
and the requirements still remaining to be fulfilled before the ship can be passed as having  
satisfactorily complied with all that is required to be done by the provisions of the Act and  
the rules thereunder are as follow :—

DATED

*The*

188 .

*Protector of Emigrants.**Certificate of remedied defects.*

I HEREBY certify that the unfulfilled requirements noted in the memorandum on the reverse  
have since been fully met, and that the vessel's decks have been thoroughly cleared, dried, and  
cleaned for the reception of emigrants to the satisfaction of the Surgeon Superintendent, as  
evidenced by his countersignature below.

Countersigned by

*Surgeon Superintendent.*

DATED

*The*

188 .

*Master.**Ship*

119. The Master, after remedying defects, and completing all remaining requirements,  
Return of memorandum with Sur- stowing away all stores in the compartments specially provided  
geon Superintendent's certificate. for them, and thoroughly cleaning and drying the spaces set  
apart for the accommodation of emigrants, shall forward the  
memorandum of defects, with the Surgeon's certificate at foot duly filled in, for the inform-  
ation and satisfaction of the Protector.

120. As soon as every requirement under schedules A to E has been fulfilled, the

Issue of final survey report. emigrants' stores properly and safely stored away, all heavy articles on deck securely lashed, all loose hay, straw, or other inflammable materials used for packing or other purposes removed from the decks, and the ship in every respect made ready for sea to the satisfaction of the Marine Surveyor, the final survey report (form No. 25) shall be forwarded by that officer to the Protector, who shall furnish a copy thereof to the Agent concerned.

121. When the Protector has received from the Marine Surveyor his final survey report, and is satisfied that the vessel has been in all respects fully equipped for the conveyance of emigrants, he shall submit to the local Government a report to that effect in form No. 36, and a copy of the Master's application for license.

COLONIAL EMIGRATION FORM No. 36.

FORM OF REPORT ACCOMPANYING APPLICATION FOR MASTER'S LICENSE.

No.

FROM

THE PROTECTOR OF EMIGRANTS,

To

THE SECRETARY TO THE GOVERNMENT OF

Dated , the 188 .

I HAVE the honour to submit, for the consideration and orders of Government, the accompanying copy of an application, dated the , from Mr. the Master of the ship , for a license to convey emigrants to under a Charter party, executed by of the one part and of the other part.

2. The Marine and Engineer Surveyor has reported the vessel to be sound, seaworthy, and completely equipped for the intended voyage, and I annex the results of that officer's surveys in the accompanying statement.

3. As regards the fittings and arrangements generally for the accommodation and comfort of the emigrant passengers during the voyage, I report that all requirements, under the provisions of the Act and rules thereunder, have been fully and satisfactorily complied with.

4. The has on occasion carried emigrants; and, so far as I am aware, there is nothing prejudicial to her employment as an emigrant ship.

5. The subjoined statement shows the proportion of women embarked up to previous shipment:

Deficit in past season.	Whether since made up or not.	Deficit in current season.	Surplus in current season.	REMARKS.
	• •			

I have the honour to be,

Sir,

Your most obedient servant,

Protector of Emigrants.

COLONIAL EMIGRATION FORM No. 36.—*continued.*

Statement of results of survey by the Marine Surveyor of the <sup>Sailing ship</sup>  
*Master* *Owners* of  
 chartered for the conveyance of Indian Emigrants from the Port of to  
 under the provisions of the Indian Emigration Act 1883.

(a) Vessel	Classification . . . . .	{	
	Registered tonnage . . . . .		
	Registered horse-power, if steamer . . . . .		
	Date when last in dry-dock . . . . .		
(b) Hull	Material . . . . .		
	State of . . . . .		
	Repairs, if any . . . . .		
(c) Decks	Thickness { Upper deck . . . . .	{	
	Passenger between deck . . . . .		
	Condition . . . . .		
	Superficial area of passenger deck . . . . .		
(d) Machinery	Steam engines { Description . . . . .	{	
	Condition . . . . .		
	Condenser { Description . . . . .		
	Condition . . . . .		
	Cooking apparatus, condition . . . . .		
(e) Ground tackle.	Condition . . . . .	{	
	Anchors when tested . . . . .		
	Cables when tested . . . . .		
(f) Rig	State of masts and spars . . . . .	{	
	Condition of standing and running rigging . . . . .		
	State of sails . . . . .		
(g) Boats	Number . . . . .		
	State of . . . . .		
(h) Equipment	Nature of fire extinguishing appliances . . . . .		
	Provision of instruments, signals, charts, books and life-buoys . . . . .		
(i) Ventilation	Means of natural ventilation . . . . .		
	Between decks { Hatches, number . . . . .	{	
	Air shafts, number . . . . .		
	Cowls, number . . . . .		
	Side scuttles, number . . . . .		
	Hollow masts, number . . . . .		
	Hold { Cowls, number . . . . .		
	Nature of artificial ventilation . . . . .		
(j) master, officers and crew.	Master, nature of certificate . . . . .	{	
	Mates, number . . . . .		
	Engineers, number . . . . .		
	Store-keeper, number . . . . .		
	Crew { European, number . . . . .	{	
	Native, number . . . . .		
	All hands, total number . . . . .		
(k) Accommodation for emigrants.	Between decks { Height . . . . .	{	
	Number of emigrants accommodable . . . . .		
	Deck-houses & { Height . . . . .		
	cabins, { Number of emigrants accommodable . . . . .		
	Hospitals { Number . . . . .	{	
	Situation . . . . .		

*Protector of Emigrants.*

122. After obtaining the license (form No. 37) from the Local Government, the Protector shall require the Master to execute in duplicate in his office in form No. 38, the bond required by section 62, sub-section (1) of the Act.

## COLONIAL EMIGRATION FORM No. 37.

## FORM OF LICENSE FOR MASTER OF EMIGRANT SHIP.

WHEREAS the Protector of Emigrants at \_\_\_\_\_ has certified to the Government of \_\_\_\_\_ that, according to the provisions of the Indian Emigration Act, 1883, \_\_\_\_\_, burthen about \_\_\_\_\_ tons, \_\_\_\_\_ Master, belonging to \_\_\_\_\_ is legally capable of accommodating \_\_\_\_\_ emigrants over the age of \_\_\_\_\_



ten years; and *whereas* the aforesaid Protector of Emigrants has further certified that the said Master has conformed to the several provisions of the aforesaid Act, and to the rules made there under, <sup>H. E. the G. of Madras in C.</sup> <sup>H. H. the L. G. of Bengal</sup> hereby permits <sup>Master of the afore-</sup> said ship, to receive on board and accommodate with a passage to <sup>not more than</sup> emigrants being natives of India <sup>subject to the</sup> execution of a bond binding himself and the owner of the ship in a penal sum of Rs. 10,000 to perform the duties imposed by the said Act or any rule made under the Act on a master and owner respectively.

By order of <sup>H. E. the G. in C.</sup> <sup>H. H. the L. G.</sup>

, THE

188.

Secretary to the Government of

Registered in the Office of the Secretary to the Government of , as No. of 188.

Head Assistant.

### COLONIAL EMIGRATION FORM No. 38.

#### FORM OF MASTER'S BOND.

*Know all men by these presents that, whereas* an Act No. XXI of 1883, entitled the Indian Emigration Act 1883 and Rules thereunder have been passed by the Governor-General of India in Council *and whereas* in and by the said Act it is required that the Master of every ship chartered to carry emigrants from India shall execute a bond binding himself and his owners in a penal sum of rupees ten thousand to conform to the several conditions in the said Act provided; *and whereas* the necessary license required by the said Act for carrying emigrants to has been granted to me by the

Government of ; *and whereas* I at present residing in the town of , Mariner and Master and Commander of the port vessel called the of the burthen of tons or thereabouts sailing Steam

at present lying have agreed to execute the bond required by the said Act for the due performance of the conditions, provisos, clauses, and restrictions therein contained; *and whereas* I the aforesaid Master have further agreed on arrival at to moor the aforesaid vessel in such secure place as the proper authority of the port at which I shall touch shall direct as soon as possible after the arrival of the aforesaid vessel at

I the aforesaid Master am myself for myself and for the owners or owner of the aforesaid vessel firmly bound to Her Majesty's Secretary of State for India in the penal sum of rupees ten thousand of lawful money of British India to be paid to the said Secretary of State for India his certain Attorney Agents successors or assigns *and* for payment of which sum to be faithfully and truly made I the aforesaid Master for and on my own behalf and on behalf of the aforesaid owners or owner of the aforesaid vessel do hereby bind myself my heirs executors and administrators firmly by these presents sealed with my seal and dated this day of in the year of our Lord one thousand eight hundred and eighty.

Now the conditions of this bond or obligation are such that if all and singular the conditions provisos clauses ~~and~~ restrictions which on the part and behalf of myself and the aforesaid owners or owner are or ought to be observed abided by and kept and which are comprised and mentioned in the said Act and rules passed as aforesaid according to the true intent and meaning of the said Act and rules are done and well and truly in all things abided by observed and kept; *and* if I the aforesaid Master do and shall immediately or as soon as possible after the arrival of the aforesaid vessel at moor her or cause or procure her to be moored in such secure place as the Master Attendant or the Harbour Master or other officer duly authorized may direct or appoint. Then this bond or obligation shall be void and of no effect otherwise shall remain in full force and virtue.

Master

Ship

Signed sealed and delivered at  
in the presence of

123. The Master after executing the bond, and not later than noon of the day preceding that on which the Emigrants are to embark, shall submit to

Production of certificate of crew.

the Protector's office the Shipping Master's certificate of crew

in form No. 39.

123 (a). In the case of a vessel leaving Calcutta, the Master shall submit together with the certificate mentioned in the last preceding rule, a certifi-

Production of certificate of engagement of steam tug.

cate of engagement of steam tug in form No. 40.

FORM OF SHIPPING MASTER'S CERTIFICATE OF CREW.

2. I have satisfied myself that the Master and officers are capable of communicating their orders intelligibly to the native crew :—

EUROPEAN CREW.		NATIVE CREW.		TOTAL CREW.
Number.	Description.	Number.	Description.	
<b>TOTAL</b>		<b>TOTAL</b>		

*Shipping Master.*

### FORM OF CERTIFICATE OF STEAM TUG.

*Master.*

Ship

FORM OF EMIGRATION AGENT'S FINAL CERTIFICATE.

*Emigration Agent for*

### FORM OF PROTECTOR'S FINAL CERTIFICATE.

*Protector of Emigrants at*





## Memo. No.

UNDER the orders of Government, the officer in pilotage charge is requested to receive this document from the Preventive Officer on his quitting the vessel, and should any attempt be made to take on board natives of India not included in this statement, to stop the vessel and report to the Port Officer for orders. This statement should be returned to the office of the Protector of Emigrants by the first opportunity, after the ship has proceeded to sea.

*Protector of Emigrants.*

## Memo. No.

RETURNED to the Protector of Emigrants as requested <sup>without any</sup> <sub>with the</sub> remark

*Pilot in charge of Ship*

DATED

*The*

125. After the necessary papers have been made over to the Master, the Protector shall fully 24 hours previous to the time fixed for embarkation, issue a notice requiring the Medical Inspector to attend at the embarkation.

*Section III.—Embarkation.*

126. The Protector of Emigrants at Calcutta shall annually satisfy himself as to the suitability and safety of every wharf and moveable stage used for embarking emigrants.

127. Emigrants on arriving from the dépôt shall be arranged in order, and having been provided with their passes in form No. 44 for delivery to the Master at the time of embarkation, the Medical Inspector, accompanied by the Surgeon Superintendent, shall examine them, and determine, for the guidance of the Protector, whether they are in a fit state of health to undertake the voyage. He shall endorse the result of his examination in form No. 22.

## COLONIAL EMIGRATION FORM No. 44.

*Form of Emigrant's Pass.*

Depôt No.

Health class.

Man's, or woman's, or boy's, or girl's, or infant boy's, or infant girl's,

*Emigration Pass.*

For ship

proceeding to

No.

Name

Father's name

Age

Caste

Height

Feet.

Inches.

Name of next of kin

If married, name of husband or wife

District

Thana

Village or town and mahalla

Bodily marks

CERTIFIED that we have examined and passed the abovenamed as  
fit to emigrate; that is free from all bodily and mental disease; and  
that has been vaccinated since engaging to emigrate.

DATED

The

Depôt Surgeon.

*Surgeon Superintendent.*

CERTIFIED that the  
guardian No.  
Government of  
that I have explained to  
duties.

above described has appeared before me with  
, and has been engaged by me on behalf of the  
as willing to proceed to that country to work for hire; and  
all matters concerning engagement and

DATED

The

*Emigration Agent for*

PERMITTED to proceed as in a fit state of health to undertake the voyage to

DATED

The

*Protector of Emigrants.*

128. In the case of a vessel leaving Calcutta, while emigrants are at the wharf, every care shall be taken to prevent access to the river water near the bank.

129. Before the embarkation of the emigrants, the entire crew shall be mustered and inspected by the Surgeon Superintendent, in the presence of the Medical Inspector and the Emigration Agent, as to their fitness for duty, and a certificate in form No. 45 from the Surgeon Superintendent countersigned by the Medical Inspector shall thereupon be furnished to the Protector. If the vessel is at Calcutta the muster and inspection shall be held on board. The vessel shall at the same time be searched for stowaways by the Chief Officer accompanied by the Custom House officer.

### COLONIAL EMIGRATION FORM No. 45.

*Form of certificate of medical inspection of crew.*

Certified that I have ascertained *on board*,\* in the presence of the Medical Inspector of Emigrants, the state of health of the master, the officers, and crew of the ship as detailed below, and consider that they are fit for duty.

\* In the case of Madras the words italicised may be omitted.

Countersigned by

*Surgeon Superintendent.*

*Medical Inspector*

Ship  
Dated

of

188

MEMORANDUM OF CREW.	
Number.	Description.

DATED ON BOARD,

The of 188

Requirements previous to embarkation.

130. In making preparations for the embarkation, the master shall carefully comply with the following requirements :—
- The between-decks are to be cleared, cleaned, and dried for the accommodation of emigrants.
  - The upper deck hatches, and all ventilators of the between-decks, are to be opened; and, if the weather be unfavourable, the hatches and air shafts are to be protected by tarpaulins spread tent fashion over them, and the cowls are to be turned to leewards.
  - Lanterns, ready for lighting, are to be hang in their places.
  - The tanks on deck are to be filled with drinking water, and the tubs for latrine purposes are to be kept filled and ready for use.
  - The embarkation stages, with ladder and hand-rails, are to be securely and conveniently fastened.
  - The awnings are to be spread.
  - The heavy baggage of the emigrants is to be stowed away in the hold.

131. During embarkation all traffic, unless carried on by means of a separate gangway, and suspension of traffic during embarkation.

every kind of work interfering with embarkation, shall be stopped.

132. (a) In case of embarkation at Calcutta.

Tally at embarkation at Calcutta. under section 66 are correct and that the entries therein correspond with the emigrants and their passes, and when the Medical Inspector has found the emigrants fit to embark, they shall be permitted to proceed on board, a tally of the number of persons embarking being kept at the gangway by two persons belonging to the ship.

132. (b) In case of embarkation at Madras. Arrangements for embarkation at Madras. embarkation (emigration yard) in sufficient time to be correctly arranged for medical inspection and muster, according to their numerical order in the general Register No. 1 being placed nearest the embarkation point.

132. (c) When once numerically arranged for inspection and embarkation, they should not be permitted to leave their places; it should be impressed on the *maistries* to attend to this, and the writers or other servants present should also see that no confusion results.

132. (d) The compounders and establishment of cooks, topases, &c., must be present punctually to help the emigrants and to assist in berthing them when on board.

Arrangements for embarkation at Madras.



